

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7977 of 2025

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1. Sujeet Kumar son of Anil Kumar Chandravanshi, Resident of Vill-Makhdumpur, P.O. and P.S.-Beur, Patna, Bihar-800002.
 2. Mukesh Kumar Mahto, Son of Arun Prashad, Resident of Vill-Harpur Gopal, P.O. and P.S.-Khanpur Pakri, Vaishali, Bihar-844115.
 3. Md. Imteyaz Husain, son of Md. Mainuddin, Resident of Vill-Simri, P.O. and P.S.-Simri, Buxar, Bihar-802135.
 4. Sandeep Kumar, son of Jaldev Sharma, Resident of Vill-Chaita Bhatowlia, P.O.-Chailabhar, P.S.-Majhauria, District-West Champaran, Bihar-845454.
 5. Dilip Kumar Mehra, Son of Raghunandan Mehra, Resident of Vill-Chunabhathi Laxmi Sagar, P.O. and P.S.-Laxmi Sagar, District-Darbhanga, Bihar-846009.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Home Department, Govt. of Bihar, Patna.
2. The Director General of Bihar Special Armed Police (DGPBSAP), Bihar, Patna.
3. The Inspector General of BSAP, Muzaffarpur, Bihar, Patna.
4. The Superintendent of Police, BSAP, Muzaffarpur.
5. The Deputy Inspector General of BSAP, Muzaffarpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Sharma, Advocate Mr. Vikash Kumar, Advocate
For the State	:	Mr. Pratik Kumar, (AC to GA-11)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-04-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

2. Learned counsel for the petitioners submit that the
present writ petition has been filed for the following relief/s:-

*“I. For the issuance of an appropriate writ/s,
order/s, direction/s in the nature of Mandamus*



commanding the concern respondents to provide benefits of M.A.C.P to the petitioners in compliance of the A.C.P & M.A.C.P rules, 2010 as he has been appointed on the post of sepoy/constable on Trade cadre vide Adv no. 01/2011 in Bihar Military Police (now BSAP) and have completed more than 10 years i.e. 13 years in the service.

II. For issuance of writ in the nature of mandamus commanding the respondent authorities to pay the arrears and other consequential benefits in respect of the M.A.C.P which has not been paid to the petitioners from the period they have completed their 10 years of service.

III. For any relief/s for which the petitioner is in entitled and as Your Lordship may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the State raised preliminary objection and submits that the Government of Bihar through General Administration Department has framed a rule namely Bihar Government Servant Grievance Redressal Rules, 2019 (hereinafter referred to as ‘Rules of 2019’) to deal such type of situations and petitioners have liberty to avail the remedy by filing complaint before the concerned authority.



4. Upon perusal of the said Rules of 2019, it transpires to this Court that under Rule 2(c) of the Rules of 2019, the word 'complaint' has been defined, which reads as under:-

“(c) 'Complaint' refers to all matters relating to the service and service benefits of serving and retired personnel of State Government as - (1) related to appointment (2) Service confirmation related (3) related to salary payment and increment (4) Promotion, A.C.P., M.A.C.P. related (5) priority/preference assessment related (6) related to the approval of leaves other than casual leave (7) related to salary during leave (8) related to approval and payment of allowances (9) Medical reimbursements (10) related to payment of retirement benefits such as pension, gratuity, group insurance, encashment of the unavailed leaves and payment of General Provident Fund.

However, if any of the above related matter is under any Court's consideration then it will not be considered as a complaint under this system.

But further, matters relating to disciplinary & departmental action, and transfer / posting / deputation will not be included as complaints under this. Any case, under the Right to Information Act, 2005 will also not be considered as a complaint under this system.”



4.1. And the procedure for filing a complaint has also been prescribed under Rule 3 of the Rules of 2019, which reads as under:-

“3. Procedure for filing a complaint- Procedure for registering complaints related to service matters and retirement benefits will be as follows -

(a) Any employee of the Bihar State Government, serving or retired, of any group can file any complaint related to their service matters and/or retirement benefits, through online mode. In the event of death of a Government Personnel, complaint can be lodged by his/her dependent, The applicant will have to mention the details of the office / officer, his/her complaint is related to. Other relevant details will also have to be provided in the online application.

(b) In one application, complaint related to only one subject can be filed. Since no fee is required for registering a complaint, therefore, if a complainant wants relief in more than one subject then he/she has to register a separate application for it. In spite of this, if in the same application relief on more than one subject is being sought for, then in that case, the first issue mentioned in the



*complaint application will be considered
as the complaint and further action will
be taken on the same.”*

5. In this view of the matter, it is hereby directed to the petitioners to avail the remedy by way of filing a complaint under the Rules of 2019 before the concerned authority, within 30 days from today. The concerned authority is directed to decide this matter according to the time frame specified in the said Rules of 2019 itself.

6. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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