

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9888 of 2025

1. Dinesh Dubey Son of Late Ram Dhyan Dubey, Resident of Village/Mohalla- Majhiyawan, Police Station- Karamchat, District- Kaimur (Bhabua). At Presently working as Sub Inspector of Police, BSAP-19, Begusarai.
2. Madan Tiwari Son of Late Jagannath Tiwari, Resident of Village/Mohalla- Khaira Shiv Mandir, Police Station- Dumra, District- Rohtas, At Presently posted as Sub-Inspector of Police, BSAP-17, Begusarai.
3. Uday Narayan Pandey Son of Late Ramdev Pandey, Resident of Village/Mohalla- Baheri, Ward No. 01, Police Station- Kolaunj, District- Kaimur. At presently Posted as Sub-Inspector of Police, BSAP-19, Begusarai.
4. Daroga Shukla Son of Ram Parikshan Shukla, Resident of Village/Mohalla- Panchwati Colony, Majhauilya, Police Station- Muzaffarpur-Sadar, District- Muzaffarpur and Presently posted as Sub-Inspector of Police, BSAP-08, Begusarai.
5. Surendra Ram Son of Late Chhedi Ram, Resident of Village- Hematpur, Police Station- Mainpura, District- Bhojpur and Presently posted as Sub-Inspector of Police, BSAP-19, Begusarai.
6. Raysahab Paswan Son of Shiv Narayan Paswan, Resident of Village/Mohalla- Naudega, Baheri, Police Station- Baheri, District- Darbhanga and Presently posted as Sub-Inspector of Police, BSAP-17, Begusarai.
7. Binod Kumar Pandey Son of Late Shiv Shankar Pandey, Resident of Village- Mobarakpur, Police Station- Mohaniya, District- Kaimur (Bhabua) and Presently posted as Sub-Inspector of Police, BSAP-19, Begusarai.
8. Sunil Kumar Singh Son of Ramashish Singh, Resident of Village- Murika, Police Station- Sigori, District- Patna and Presently posted as Sub-Inspector of Police, BSAP-19, Begusarai.
9. Rama Kant Pathak Son of Rajendra Pathak, Resident of Village- Panjari Khurd, Police Station- Bishrampur, District- Palamu (Jharkhand), Presently posted as Sub-Inspector of Police, BSAP-19, Begusarai.
10. Arbind Sharma Son of Dudheshwar Singh, Resident of Village- Faridpur, Police Station- Prasbigaha, District- Jehanabad and presently posted as Hawaldar, BSAP-19, Begusarai.
11. Md. Nizamuddin Son of Md. Ranjan Ali, Resident of Village- Kurtha, Police Station- Bagengola, District- Buxar and Presently posted as Hawaldar, BSAP-19, Begusarai.
12. Rajneeti Singh Son of Late Baleshwar Singh, Resident of Village- Lakhipur, Police Station- Salimpur, District- Patna and Presently posted as BSAP-08, Begusarai.
13. Nawal Raj Banshi Son of Late Ram Chandra Rajbanshi, Resident of Village- Gotrain, Police Station- Nardiganj, District- Nawada, and Presently posted as Hawaldar, BSAP-19, Begusarai.
14. Hrideshwar Prasad Singh Son of Late Vishram Singh, Resident of Village/Mohalla- Yourajpur, Police Station- Sahwal, District- Gajipur (UP) and Presently posted as Hawaldar, BSAP-19, Begusarai.



15. Suresh Rajak Son of Late Yugal Baitha, Resident of Mohalla- Basant Vihar Colony, Rukanpura, Police Station- Rajeev Nagar, District- Patna and Presently posted as Hawaldar, BSAP-19, Begusarai.
16. Bishnu Dev Choudhary Son of Late Medni Mandal, Resident of Village- Damodarpur, Police Station- Bhagwanpur, District- Begusarai and Presently posted as Sub-Inspector of Police, BSAP-19, Begusarai.
17. Arun Kumar Thakur Son of Late Bindeshwar Thakur, Resident of Village- Nazirpur, Police Station- Rahika, District- Madhubani and Presently retired true the post of Sub-Inspector of Police, BSAP-19, Begusarai.
18. Madhushudhan Rajwanshi Resident of Village- Lohianagar, Bisthapit, Police Station- Rajgir, District- Nalanda and Presently posted as Hawaldar, BSAP-17, Begusarai.
19. Manoj Kumar Singh Son of Late Jalgobind Paswan, Resident of Village- Baruna, Police Station- Fatuha, District- Patna, and Presently posted as Sub-Inspector of Police, BSAP-8, Begusarai.
20. Md. Jahangir Khan Son of Late Md. Reyazuddin Khan, Resident of Village- Saidabad, Police Station- Bikram, District- Patna and Presently posted as Hawaldar of Police, BSAP-08, Begusarai.
21. Sanjay Kumar Son of Amo Singh, Resident of Village- Mahua, Police Station- Sikandra, District- Jamui and Presently posted as Hawaldar, BSAP-08, Begusarai.
23. Krishna Kumar Singh Son of Late Surendra Singh, Resident of Village- Bardka Lohare, Police Station- Barhara, District- Bhojpur (Ara) and Presently posted as Hawaldar, BSAP-19, Begusarai.
24. Devratna Ram Son of Late Bajrangi Ram, Resident of Village- Bargaon, Police Station- Azimabad, District- Bhojpur (Ara) and Presently posted as Hawaldar ASI, BSAP-19, Begusarai.
25. RamBilash Paswan Son of Late Aghori Paswan, Resident of Village- Asmanichak, Police Station- Rajoun, District- Banka and retired from Bihar Special Armed Police - 19, Begusarai.
26. Kanchan Kumari Wife of Late Nand Kishore Kuwar, Resident of Village- Saidpur, Police Station- Gopalpur, District- Bhagalpur, Late Her Husband died on 02.12.2023 from BSAP-08, Begusarai.
27. Rambahadur Yadav Son of Jhingur Prasad Yadav, Resident of Village- Raghunathpur, Ward No.08, Police Station- Basnahi, District- Saharsa.
28. Ram Dayal Singh Son of Late Yadu Bansh Singh, Resident of D-49, Niru Sadan, Police Colony, Gandhi, Bihar, Police Station- Anisabad, District- Patna and Presently working as Hawaldar, BMSP, Bhojpur, Ara.
29. Manoj Kumar Singh Son of Mukh Deo Singh, Resident of Village- Bhore, Police Station- Bhore, District- Gopalganj, and Presently posted as Havildar, BSAP-18, Begusarai.
30. Sujindra Kumar Son of Late Sidheshwar Singh, Resident of Village- Sultanpur, Police Station- Makhdumpur, District- Jahanabad, and Presently Working as Havildar, BSAP (Woman), Batalian, Sasaram.
31. Radheshyam Prasad Son of Late Sitaram Prasad, Resident of Village- Ramobariya, Police Station- Buxar, District- Buxar and Presently Working



as Sub-Inspector of Police, BSAP (Woman Batalian), Sasaram.

32. Arun Chandra Uraw Son of Late Karam Chandra Uraw, Resident of Village- Sohara Tola, Jagdishpur, Police Station- Barari, District- Katihar, and Presently working as Hawaldar, BSAP- 11, Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Home Secretary, Government of Bihar, Patna.
5. The Director General of Police, Bihar, Patna.
6. The Additional Director General of Police (Headquarter), Bihar, Patna.
7. The Deputy Inspector General of Police (Personal), Bihar, Patna.
8. The Additional Director General of Police (Military Police), Bihar Special Armed Police, Bihar, Patna.
9. The Commandant, Bihar Special Armed Police (BMP)-19, Begusarai.
10. The Commandant, Bihar Special Armed Police (BMP)-17, Begusarai.
11. The Commandant, Bihar Special Armed Police (BMP)-8, Begusarai.
12. The Commandant, Bihar Special Armed Police (BMP)-11, Jamui.
13. The Commandant, Bihar Special Mounted Armed Police, Bhojpur, Ara.
14. The Commandant, Bihar Special Armed Police, Mahila Battalion, Sasaram.
15. The Principal, Bihar Police Training School, Nathnagar, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate
For the State : Mr. Anil Kr. Verma (AC to AAG-9)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 12-05-2026

Heard learned counsel for the petitioners and
learned counsel for the State.

2. Learned counsel for the petitioners submit that
he is not pressing this writ petition with regard to petitioner no.



22 namely, Nand Kishore Kuwar, as he has been wrongly added in this writ petition.

3. As such, in the light of the submissions made, counsel for the petitioners is directed to delete/remove the name of petitioner no. 22 namely, Nand Kishore Kuwar from the hard copy of the cause title page of the writ petition in course of the day.

4. The Registry is directed to delete/remove the name of petitioner no. 22 namely, Nand Kishore Kuwar from the cause title page (soft copy) of the writ petition.

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

“I. For issuance of appropriate writ in the nature of mandamus commanding the respondents authorities to re-fix the pay scale of the petitioners in the scale of Rs. 4000-6000 as a 1st ACP in the Scale of ASI/Hawaldar and to grant the benefit of MACP which is being paid to the petitioner in the scale of Rs. 4000-6000 in place of pay scale of Rs. 3200-4900.

II. To declare and hold that the petitioners falls under the literate cadre and accordingly, they are entitled to get 1st



ACP/MACP in the scale Rs. 4000-6000 against the post of ASI/Hawaldar and the 2nd ACP/MACP in the scale of Rs. 5500-9000 against the post of S.I.

III. To grant the same benefits as the applicant of LPA No. 458 of 2021 because all these petitioners have also been similarly appointed between the years 1988 to 1992.

IV. To hold that petitioners are covered by the Judgment/order dated 26.04.2024 passed by the Division bench of this Hon'ble Court in LPA No. 458 of 2021 and therefore, as per clause 4.C(1) of the Bihar Litigation Policy 2011 issued under resolution dated 31.03.2011 by the State Govt. they are also entitled to be given the same and similar benefits as has been given to the appellants/petitioners of the LPA No. 458/2021 and any discrimination with the petitioners would amount to violation / breach of Bihar litigation policy, 2011 by the respondent authorities.

V. And to grant any other relief/relief(s) for which the petitioners are found entitled in the facts and circumstances of the case.”

6. 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 the petitioners have liberty to avail the remedy by filing complaint before the concerned authority.

7. 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.”

7.1. 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.”

8. In this view of the matter, it is hereby directed to the petitioners to avail their remedy by way of filing a complaint under 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.

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

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	15/05/2026
Transmission Date	NA

