

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8761 of 2024

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Ratnesh Lal son of Late Uchit Narayan Lal, resident of village- Kharka, P.O. Bokhra, P.S. Nanpur District Sitamarhi, the retired Key Man-cum- Chaukidar, Public Health Sub- Division, Pupri under Public Health Division, Sitamarhi, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief-cum- Special Secretary, Public Health Engineering Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
4. The Chief Engineer, Public Health Engineering Department, Government of Bihar, Patna.
5. The Superintending Engineer, Public Health Engineering Circle, Muzaffarpur.
6. The Executive Engineer, Public Health Division, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Santosh Kumar Mishra, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*(I) For issuance of an appropriate
writ in the nature of MANDAMUS,
commanding and directing the Respondent
Authorities to grant the benefit of first A.C.P.
with effect from 09.08.1999, the benefit of*



second ACP with effect from 18.08.2006 and the benefit of third MACP with effect from 18.08.2012 in view of the provisions as contained under ACP Rules, 2003 as well as the MACP Rules, 2010 on the ground that the petitioner had already completed 12 years of service on 09.08.1999, 24 years on 18.08.2006 and 30 years on 18.08.2012 since the date of services of the petitioner was taken into work charge establishment on 18.08.1982.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to make payment of consequential monetary benefit on account of grant of benefit of ACP/MACP to the petitioner from the due date such as differences of salary, pensionary benefits with interest.

(III) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to make payment of differences of salary for the period of 01.06.2002 to 30.11.2006 admissible to the work charge employees in view of the judgment and order dated 16.05.2013 passed by this Hon'ble Court in C.W.J.C. No.7211 of 2013 and consequential order



issued by the department contained in memo no.925 dated 16.11.2013 on the ground that in the said period the Respondents had illegally paid the wages to the petitioner as daily wager.

(IV) For issuance of any other appropriate writ/writs, order /orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that he has received the counter-affidavit today itself, therefore, he seeks time.

4. Learned counsel for the State, on the other hand, submits that the State of Bihar has framed a Rule, namely, the Bihar Government Servant Grievances Redressal Rules, 2019 (hereinafter referred to as the “Rules of 2019”), under which grievances relating to the grant of benefits in all matters concerning the service (ACP/MACP) and service benefits of retired persons of the State Government are to be considered by way of filing a complaint before the Service Grievances Redressal Officer. Counsel further submits that liberty may be granted to avail the remedy under the Rules of 2019.

5. In light of the submissions made, the present writ



petition stands disposed off, directing the petitioners to avail the remedy under the Rules of 2019 within 30 days from today by filing a complaint. Upon such filing before the authority concerned / Service Grievances Redressal Officer, the said authority shall decide the grievances of the petitioners strictly within the time frame prescribed under the Rules of 2019.

6. If the grievance is not redressed, the petitioner shall be at liberty to proceed further in accordance with the Rules of 2019 before the appropriate authority.

(Dr. Anshuman, J.)

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