

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9355 of 2024

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1. Chandrakala Devi W/o Late Ram Vilash Singh, Resident of Mohalla- Adarsh Nagar, Mohanpur Road, P.O and P.S. and District- Samastipur.
 2. Sushila Devi W/o Late Srikant Sharma, R/o Mohalla- Ashiyana Nagar, Srinagar Road No.-7A, P.O Ashiyana Nagar, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Principal Secretary to Govt., Rural Works Department, Bihar, Patna.
3. The Principal Secretary, Public Health Engineering Department, visheshwaraiya Bhawan, Baily Road, Patna.
4. The Superintending Engineer, Rural Works Department, work circle, Samastipur.
5. The Superintending Engineer, Public Health Engineering Circle, Patna.
6. The Executive Engineer, Rural Works Department, work division, Samastipur.
7. The Executive Engineer, Public Health Division, Patna west.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate
For the Respondent/s : Mr. Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

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

*(i) That by this writ application,
the petitioners seek indulgence of this
Hon'ble Court for issuance of an
appropriate writ or writs, direction or
directions commanding the Respondents to
consider and grant of similar pay scale of
Rs.6500-10500 [P.B.-2+4800] in 1st ACP*



and Rs.10000-15200 [Pay Band-3 + 6600] in 2nd ACP on behalf of her husband, in the light of the judicial order passed in CWJC No.18433 of 2016 and analogous cases, which has been affirmed by the Hon'ble Apex Court on 25.4.2023 as well as the clause 4 C (1) of the Bihar State Litigation Policy, 2011 under Chapter-IV and the said pay scale has been granted to the similarly situated persons by Resolution of the Finance Department, Bihar bearing Memo No. 163 dated 8.1.2016.

(ii) That an appropriate writ or direction be issued commanding the Respondents to consider and grant the same pay scale, which has been granted to the similarly situated persons by its Memo No.163 dated 8.1.2016 and Memo no.2162 dated 28.2.2024, in view of the clause 4 C (1) of the Bihar State Litigation Policy, 2011.

(iii) That an appropriate writ or direction be also issued commanding them to revise the pay scale accordingly and grant all consequential benefit with retirement benefits.

(iv) Any other relief or reliefs may be granted to the petitioners as they are found legally entitled to in the facts and circumstances of the case.



3. Learned counsel for the State raised a preliminary objection and 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 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.

4. Learned counsel for the petitioners 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 of, 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.

(Dr. Anshuman, J.)

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