

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10163 of 2026

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MazharAlam @ Md. MazharAlam Son of Late Hassan Imam, Resident of Mohalla - Nawadih, Sheesh Mahal Street, Near Masjid, P.S.- Aurangabad Town, District-Aurangabad (Bihar) PIN- 824101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
3. The Joint Secretary, Department of Prohibition, Excise and Registration, Government of Bihar, (Registration) Patna.
4. The Inspector General of Registration, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
5. The Assistant Inspector General of Registration, Department of Prohibition, Excise and Registration, Government of Bihar, Patna.
6. The District Magistrate-cum-Collector, Gayaji, District Gayaji. (Gaya).
7. The District Sub-Registrar, Gayaji, District - Gayaji (Gaya).
8. The Accountant General (A and E), Bihar, Veerchand Patel Marg, Near R. Block, Patna.
9. The Senior Accounts Officer, Office of Accountant General (A and E), Bihar, Veerchand Patel Marg, Near R. Block, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate
For the Respondent/s : Mr. Standing Counsel (28)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 16-07-2026

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

2. The present writ petition has been filed for the following relief/s:-

“I. For issuance of a writ in the nature of writ of Mandamus or any other appropriate



writ/writs, order/orders or direction / directions to the respondents specially Respondent No. 5 for grant / sanction benefit of first ACP/MACP with Grade Pay of Rs. 2000/- to the petitioner immediately with effect from 01.07.2014 as also given to the similarly situated Lower Division Clerk (LDC) working in the Registry office of the State of Bihar.

II. For issuance of a consequential writ in the nature of a writ of Mandamus or any other appropriate writ / writs, order / orders or direction / directions to the respondents specially Respondent No. 5, after grant /sanction of the benefit of first ACP/MACP to the petitioner, further be directed to calculate the arrear of monetary benefit accrued thereof and pay the same with simple interest prevailing as of today to the petitioner' bank account.

III. For issuance of any other appropriate writ(s), orders(s), direction(s) as may be deemed fit and proper in the facts and circumstances of the case.

IV. For issuance of any other relief / reliefs to which the petitioner is found entitled to.”

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 petitioner has liberty to avail his 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 petitioner to avail his 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 strictly 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)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	18/07/2026
Transmission Date	NA

