

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13327 of 2025

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Bipin Kumar Singh Son Of Late Deena Nath Singh Resident of Village-
Golma, P.S,Sourbazar, District-Saharsa (Bihar) also Resident At Care of
Ravishankar Singh,Top Floor, Near Sharme Lodge, Mohnpur, Punaichak, P.S.
Shastri Nagar, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Transport,
Government of Bihar, Patna.
2. The Commissioner, Department of Transport, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar,
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Alok Kumar, Adv. Mr.Arjun Kumar, Adv.
For the Respondent/s	:	Mr.Yogendra Pd. Sinha, AAG7 Mr.Rajeev Kumar Sinha, AC to AAG7

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-06-2026 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

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

*(i) To issue an appropriate writ/writs
and/or direction/directions to the Respondents to
grant the Petitioner pay scale of Graduate
(Trained) i.e. 5000 – 8000 revised pay-band 2,
Grade Pay 4600/-, Pay level – 7 to the Petitioner
in the light of the order contained in Memo No.
3801 dated 19.07.2017 whereby the Transport
Department adopted the Finance Department
Resolution No. 3950 dated 24.05.2017.*



(ii) To issue a writ in nature of mandamus directing the Respondents to fix the pay of the Petitioner to the tune of 5000 8000 incorporating the benefit of Grade Pay of 4600/- w.e.f. the date of his regular appointment and further to pay the Petitioner his arrears of salary as per the revised pay scale.

(iii) To issue a writ of mandamus to give the benefit of Assured Career Progression Scheme and Modified Assured Career Progression Scheme as he has completed 33 years unblemished service from his initial appointment.

(iv) To issue any other writ/writs and/or direction/directions as your Lordships may deem fit and proper in the facts and circumstances of the case.

3. Counsel for the petitioner submits that a counter-affidavit has been received, but he seeks time to file rejoinder to the same. He further submits that the petitioner's representation is still pending and no decision has been taken on the same.

4. Learned counsel for the State raised preliminary objection and submits that the counter-affidavit had already been served in the month of February, 2026 (*i.e.*, on 03.02.2026), but no rejoinder has been filed. He further submits that the basic relief demanded by the petitioner is relating to salary payment and increment as well as demanding benefit of



ACP and MACP.

5. Counsel further submits that Annexure-A is the order dated 28.02.2024 with regard to similarly situated persons in the case of **Shri Gupteshwar Singh & Ors.**, (Data Entry Operators), passed in **CWJC No.4585 of 2023** dated 11.09.2023, who have demanded the same relief. He further submits that the stand taken in the said case is identical with the case of the present petitioner.

6. In response thereof, counsel for the petitioner submits that he shall be in a position to clarify to this Court the present case is different from the case of Gupteshwar Singh & Ors. (supra) on which the State has relied.

7. In light of the submissions made by the parties, it transpires to this Court that the grievance of the petitioner is well covered under the Bihar Government Servant Grievance Redressal Rules, 2019 (hereinafter referred to as the 'Rules of 2019'). Upon perusal of the said Rule, it transpires to this Court under Rule 2(C) of the Rule of 2019 the word 'complaint' has been defined as follows :-

*(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.

and procedure for filing complaint has also been prescribed under Rule 3 of the said Rule of 2019 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 background, the petitioner is granted liberty to file a complaint under the provisions of the Rules of 2019 within 30 days from today. Upon filing of the said complaint, the authority concerned shall pass orders within the time specified in the said Rules of 2019 strictly.

9. With the aforesaid observation and direction, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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