

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13700 of 2025

1. Vijay Prasad Yadaw Son of Late Ramdeo Prasad, resident of Raghunath Tola North of Ram Janki Mandir, Gali No.2, Police Station Gardanibagh, District Patna.
2. Sunil Kumar Verma, Son of Jwala Prasad Verma, resident of 503, A Block, Ram Dayal Enclave, R.K.Puram, Danapur Khagaul Road, Police Station Danapur, District Patna.
3. Janardan Prasad, Son of Late Shyam Nandan Prasad, resident of Chailital, Sangat Ki Gali, Police Station Alamganj, District Patna.
4. Ved Ranjan Sharma, Son of Late Nagendra Nath Shastri, resident of Flat No.506, Block-B, Badrinath Tower, Chandra Shekhar Nagar, East Gola Road, Police Station Danapur, District Patna.
5. Hardeo Prasad, Son of Late Mishri Lal, resident of Narial Ghat, Police Station Digha, District Patna.
6. Sudhir Kumar Jha, Son of Late Raghunath Jha, resident of New Colony, Raghopur, Police Station Ahiyapur, District Muzaffarpur.
7. Usha Srivastava, Wife of Late Shiv Shankar Prasad, resident of House No. K-188, Kali Mandir Road, Opposite Chandanbag, Hanuman Nagar, Kankarbagh, Police Station Kankarbagh, District Patna.
8. Brijendra Kumar Pandey, Son of Late Nitya Nand Pandey, resident of 49, Mansa Ram Ka Akhara, Patnacity. Police Station Mehadiganj, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Old Secretariat, Police Station Sachivalaya, District Patna.
2. The Additional Chief Secretary, Finance Department, Old Secretariat, Police Station Sachivalaya, District Patna.
3. The Joint Secretary, Finance Department, Old Secretariat, Police Station Sachivalaya, District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rupak Kumar, Advocate
For the State : Mr. Venkatesh Kirti (JC to GA-2)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT



Date : 11-05-2026

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

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

“I. That this writ application is filed for issuance of writ in the nature of certiorari for quashing the part of the proceedings of Screening Committee dated 23.11.2018 of Departmental Screening Committee whereby and whereunder the claim of the petitioners for grant of 3 M.A.C.P on completion of 30 years of services from the dates of their respective initial appointment on the post of Personal Assistant has been rejected on flimsy and unreasonable ground.

II. That this writ application is further filed for issuance of writ in the nature of mandamus directing the respondents to grant 3rd M.A.C.P to the petitioners on completion of 30 years of their services from the dates of there initial appointment on the post of Personal Assistant with all consequential benefits including arrears of salary and pensionary benefits.”

3. Learned counsel for the petitioners submit that the petitioners were aggrieved from the decision of the Screening



Committee dated 23.11.2018 and with a view to take decision with regard to grant of 3rd M.A.C.P., they have filed representation before the Additional Chief Secretary, General Administrative Department, Bihar, Patna not only once, rather three times (annexed as Annexures- P/3, P/4 & P/6). But, when no decision was taken, then the petitioners have no option left but to move before this Hon'ble Court. Counsel further submits that though counter affidavit has been filed in which assertion made by the committee has been re-affirmed, but no decision on the petitioners' representation has been taken.

4. It transpires to this court that the cause of action has arisen for the petitioners in the year 2018 itself and with regard to the grievance of the petitioners relating to grant of A.C.P./M.A.C.P., 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.

5. 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.”

5.1. 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.”

6. In this view of the matter, it is hereby directed to



the petitioners to avail their remedy by way of filing a complaint under the Rules of 2019 before the concerned authority, within 30 days from today. The concerned authority is directed to pass order with regard to the claim of the petitioners according to the time frame specified in the said Rules of 2019 itself.

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

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	12/05/2026
Transmission Date	NA

