

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.247 of 2025

=====

Diplal Yadav S/O Late Vaichand Yadav @ late Valchand yadav, R/O Village-Yusufpur, P.O. Khanjahachak, P.S. Lalganj, District- Vaishali, retired as Panchayat Sachiv from Raghapur Block, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division at Hajipur.
3. The District Magistrate, Vaishali at Hajipur.
4. The District Panchayati Raj Officer, Vaishali at Hajipur.
5. The Block Development Officer, Raghapur, Vaishali.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate
For the State : Mr. Yogendra Pd. Sinha (AAG-07)

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed for issuance of appropriate
writ/writs, orders, direction/directions for the following relief/s:-

*“I. For issuing writ in the nature of
Mandamus to the respondents (particularly to
the Respondent No. 3), so that the complete
benefits of third ACP/MACP, should be
granted to the petitioner with effect from the
year 2012, i.e. from the date in which he was
entitled to as per the Resolution No. 7566,*



dated 14.07.2010, passed by the Finance Department Government of Bihar, under the Transformed Finance Upgrade Rules, 2010 (Ruprantit Vriti Unnayan Yojana Niyamavali, 2010).

II. Further for also commanding the respondents so that delayed interest on the accrued ACP/MACP benefits is also paid to the petitioner from the time it was due till his date of superannuation which was on 31.05.2014.

III. For any other reliefs which the Hon'ble High Court thinks proper and fit in the facts and circumstances of this case.”

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 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/-

U			
---	--	--	--

