

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7064 of 2011

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Aisha Khatoon, wife of Khalid Islam, resident of village – Rasoolpur, P.S. Hayaghat, District Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Director, Panchayat Raj, Bihar Patna
2. The Commissioner, Rural Development, Bihar, Patna
3. The District Magistrate, Darbhanga
4. The District Panchayat Raj Officer, Darbhanga
5. The Block Development Officer, Hayaghat, District Darbhanga
6. The Sarpanch, Rasoolpur Panchayat, District Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 19-01-2016 Heard learned counsel for the petitioner and learned AC
to SC No. 28.

The petitioner has prayed for directing the respondents to pay her remuneration as ‘Nyaya Sachiv’ from 19.11.2007 till date.

It has been claimed that though petitioner was functioning as ‘Nyaya Sachiv’ payment has never been made whereas in the present writ petition a counter affidavit was filed in the month of March, 2012 on behalf of the respondent no. 3, 4 and 5 and in paragraph no. 5 of the counter affidavit a specific stand has been taken that petitioner worked as such only for four months. Thereafter, she did not turn up to Gram Kutchery. So

far payment of the said period is concerned, it has also been indicated that a cheque was issued by respondent no. 5 for an amount of Rs. 58,717/- for remuneration of 'Nyaya Mitra' and 'Nyaya Sachiv' Out of the said Rs. 58,717/- an amount of Rs. 6,800/- was earmarked for remuneration of the petitioner and the said cheque was received by the Sarpanch on 23.8.2010 itself.

Learned State Counsel submits that petitioner is the wife of a Panchayat Secretary, whereas it was disputed by learned counsel for the petitioner and it was submitted that it is true that petitioner is the wife of one Panchayat Secretary but not of the same Panchayat.

In this case no reply to the counter affidavit has been filed and as such, the court considers that the statement made in paragraph no. 5 of the counter affidavit of respondent no. 3, 4 and 5 has not been disputed.

Accordingly, there is no need to pass any positive order in the writ petition.

The writ petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

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