

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.405 of 2011

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1. Manorma Kumari @ Manorma Devi W/O Sri Uday Rai Resident of Village-
Karai, P.O.-Lahsura, P.S.- Masaurhi, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Panchayati Raj Department
3. The Director Panchayat Raj Department, Govt. of Bihar
4. The District Magistrate, Patna
5. The Sub-Divisional Officer, Masaurhi
6. The Block Development Officer, Masaurhi, Patna
7. The Sarpanch, Gram Kachhari Karai, P.O.-Lahsuna, Block- Masaurhi, District-
Patna
8. Smt. Meena Kumari W/O Sri Satyendra Narain Singh Resident of Village and
Post- Lahsuna, P.S. Masaurhi, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Adv.

For the Respondent/s : Mr. Ajay Kumar Sharma, A.C. to PAAG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 30-08-2016

None appears on behalf of the petitioner.

Mr. Sudama Singh learned counsel appears on behalf of the
respondent No.6 while the State is representing by Mr. Ajay Kumar
Sharma A.C. to PAAG.

Although the petitioner has questioned the order dated
1.10.2009 passed by the respondent Sarpanch whereby the
appointment of the petitioner as Secretary, Gram Kutchery has been
cancelled and respondent No.8 has been appointed, but on call while
there is no representation on behalf the petitioner, it is informed by



Mr. Sudama Singh that the appointment of the Gram Kutchery is tenure based and until the life of the Panchayat and thus by the expiry of the term of the Panchayat even the appointment has lapsed. He further informs that the private respondent had a higher marks in comparison to the writ petitioner who was earlier appointed. He submits that in view of the Circular of the Principal Secretary dated 31.1.2008 and the decision of the State Government to treat Madhyama as equivalent to matriculation that the case of the private respondent was reviewed and his claim was upheld. He further submits that by passage of time the contest has been rendered academic.

In the circumstances so discussed above, no cause for indulgence is made out and the writ petition is disposed of.

(Jyoti Saran, J)

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