

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23156 of 2013

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1. Kamal Kant Jha @ Kamal Kumar Jha Son Of Tript Narayan Jha Resident Of Village + Police Station - Benipatti, District - Madhubani, At Present Posted As President Bihar State Ward Member Association Cum District Ward Members Association, District Madhubani (Bihar)

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government Of Bihar, Old Secretariat, Patna
2. The Principal Secretary, Panchayat Raj Department, Govt. Of Bihar, Vikash Bhawan, Patna
3. The Special Executive Officer, Panchayat Raj Department, Government Of Bihar, Patna
4. The Principal Secretary, Department Of Town Planning and Housing, Bihar, Patna
5. The Secretary, Finance Department Govt. Of Bihar, Patna
6. The Deputy Secretary, Chief Secretary's Grievance Cell Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Narayan Jha, Adv.

For the Respondent/s : Mr. Sunil Kumar AC to SC-2

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-07-2016

Heard.

A counter affidavit on behalf of the respondents is filed. There is no rejoinder thereto.

Petitioner claims himself as the elected Ward Member of Gram Panchayat, Benipatti in the District of Madhubani. The grievance is that the daily allowance/ travel allowance provided to the elected Ward Members by the Govt. in the Department of Panchayati Raj is wholly inadequate. It

should be suitably enhanced.

In the counter affidavit, the respondents, apart from disputing the claim of the petitioner, have enclosed the order dated 07.01.2013 passed in CWJC No. 23589 of 2012 (Annexure-B) wherefrom it appears that the petitioner had earlier filed writ application which was considered and disposed of observing as under:-

“Heard learned counsel for the petitioner and the State.

The nature of the relief sought on behalf of the Ward Member pertains more to matters of policy and does not fall within the purview of the limited jurisdiction under Article 226 of the Constitution of India.

The application stands disposed in terms thereof.”

It does not appear that any leave was sought by the petitioner to file another writ application which was granted. The present writ application is dismissed.

(Kishore Kumar Mandal, J)

Shyam/-

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