

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11300 of 2012

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1. SMT. MANJU DEVI W/O SRI RAMESHWAR PRASAD GUPTA
R/O VILLAGE- YADOPUR SHUKL, P.O.+P.S.- YADOPUR,
DISTRICT- GOPALGANJ
 2. BINOD PRASAD S/O SRI RAMCHANDRA PRASAD R/O
VILLAGE- NAYATOLA BANGARI, P.O. + P.S.- YADOPUR,
DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. CHIEF SECRETARY, GOVT. OF BIHAR, PATNA
3. PRINCIPAL SECRETARY HUMAN RESOURCES DEPARTMENT,
GOVT. OF BIHAR, PATNA
4. DISTRICT MAGISTRATE, GOPALGANJ
5. DEPUTY DEVELOPMENT COMMISSIONER, GOPALGANJ
6. DISTRICT PROJECT OFFICER, GOPALGANJ
7. SUBDIVISIONAL OFFICER, GOPALGANJ
8. BLOCK DEVELOPMENT OFFICER, GOPALGANJ
9. MUKHIYA, GRAM PANCHAYAT RAJ- YADOPUR SHUKL, DISTRICT-
GOPALGANJ

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Prashant Kumar, AC to SC-5

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 10-10-2018 1. Heard Sri Pramod Kumar, learned counsel for the
petitioners and counsel appearing on behalf of the State.

2. Learned counsel appearing on behalf of the
petitioners submits that notwithstanding the order contained in
Annexure-8 petitioners are still continuing. From perusal of the
Annexure-8 it appears that District Magistrate, Gopalganj has
cancelled the selection of “Prerak” Gram Panchayat Raj
Yadipur and directed for inviting fresh application and after



counselling for preparing the fresh list of 'Prerak'. The aforesaid decision is dated 18.5.2012. The writ petition was filed on 03.7.2012 and till date no counter or supplementary counter affidavit has been filed by the parties on the point whether after Annexure-8 selection process was made or not.

3. Mr. Pramod Kumar submits that till date the petitioners are continuing and as such they are entitled for payment of honorarium for the period the petitioners have actually worked.

4. Considering the above the writ petition is disposed of with observation the petitioner have actually worked notwithstanding Annexure-8 then the petitioners may be paid honorarium for the period petitioners have actually worked. So far as selection of 'Prerak' is concerned in the event of fresh selection process has been taken to its logical end no indulgence can be granted to the petitioner but in case respondents have not taken any further step for preparation of fresh panel for appointment of 'Prerak' the respondents have to consider the case of the petitioner while taking fresh selection process. With regard to payment of honorarium the decision may be taken by the respondents at the earliest preferably within a maximum period of four months from the date of receipt / production of a



copy of this order.

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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