

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3205 of 2016

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Urmila Kumari wife of Bishudhari Prasad Resident of Village - Morwa, P.O.
Gurpa, P.S. Fathepur, District - Gaya.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary-cum-Commissioner, Panchayati Raj Department,
Government of Bihar, Patna.
3. The Director, Panchayat Raj Department, Government of Bihar, Patna.
4. The District Magistrate, Gaya, District - Gaya.
5. The Block Development Officer, Block Fatehpur, District - Gaya.
6. The Sarpanch, Panchayat South Lodhwe, Block - Fatehpur, District - Gaya.
7. Girija Kumari wife of Suman Kumar resident of Village - Koeriya, P.O.
Murwa, P.S. Fathepur, District - Gaya.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Saxena
For the Respondent/s	:	Mr. Uma Shankar Singh
		Mr. Dheeraj Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-06-2019 The writ petition has been filed praying for quashing of the decision of respondent No. 6 i.e. Block Development Officer, Fatehpur, Gaya by which services of the petitioner, who was working as Gram Kutchery Secretary has been terminated.

Counter affidavit filed by the State takes an objection regarding maintainability of the writ petition in view of the fact that the petitioner has adequate and efficacious remedy by way of appeal before the District Panchayat Raj Officer, under Rule 7 of the Bihar Gram Kutchery Secretary (Appointment, Service



Condition and Duties) Rules 2014.

Being faced with such difficulty petitioner's Counsel submits that he would approach the competent authority by filing his appeal.

In view of such submission, the writ petition stands disposed of with liberty to the petitioner to move the competent forum of appeal. This Court would only observe that since objection of alternative remedy has been raised by the State in the counter affidavit the issue of delay should not be raised against the petitioner having regard to pendency of the proceedings in this forum. The competent appellate authority should consider petitioner's appeal on merit and dispose it of in accordance with law.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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