

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6329 of 2015

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Ashok Kumar Gupta, Son of Sri Naval Kishor Gupta, Resident of Village +
P.O. - Akori Gola, P.S. - Akori Gola and District - Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Patna, Bihar
2. The Secretary, Panchayati Raj Vibhag, Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram, Bihar.
4. The District Panchayat Officer, Rohtas at Sasaram, Bihar.
5. The Block Development Officer, Nauhatta, District - Rohtas, Bihar.
6. The Sarpanch, Sahpur Gram Kachahari, Block - Nauhatta, District - Rohtas, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : M/s Rajesh Kr Singh, Yogendra Tiwari, Advocates
For the Respondent/s : Mr Manoj Kr, AC to GP XXIV

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 12-03-2019

Heard learned counsel for the petitioner and the respondent-State.

2 The writ petition has been filed claiming *Mandey* (honorarium) for the services of the petitioner rendered as *Nyay Mitra* pursuant to his joining dated 15.03.2008 till the filing of the writ petition.

3 The counter affidavit discloses that the Ex Sarpanch had already intimated the District Panchayati Raj Officer, Rohtas under correspondence dated 14.05.2008 that the petitioner has



never assumed his duties by joining on the post for which he is claiming honorarium. The averments made in the counter affidavit have not been denied or disputed by filing any rejoinder.

4 In the circumstances, there is no occasion for this Court to exercise jurisdiction in favour of the petitioner as the admitted position that emerges from the pleadings is that the petitioner had never joined as *Nyay Mitra*.

5 Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

