

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5230 of 2019

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Bimla Devi, Wife of Vijay Bahadur, Resident of Village-Sahpur, P.O.-Baulia,
P.S.-Nauhatta, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Welfare Department,
Government of Bihar, Patna.
2. The Director, Bihar Maha Dalit Vikas Mission, Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Sub Divisional Officer, Dehri-on-Sone, Rohtas
5. The Block Development Officer, Sahpur Nauhatta Block, District-Rohtas.
6. The Circle Officer, Nauhatta Block, District-Rohtas
7. Indu Devi, Wife of Ram Pravesh Ram, Resident of Village-Tilokhar, Police
Station-Chutiya, P.O.-Tilokhar, District-Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwary, Advocate
For the Respondents : Ms. Kumari Amrita (Gp-3)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 03-04-2019

Heard the learned counsel for the petitioner and

the State.

2. The petitioner is aggrieved by the appointment

of private respondent no. 7 on the post of Vikash Mitra

under Shahpur Panchayat, Nauhatta Block in the district of

Rohtas as her appointment is against the rule in that

regard which declares that a person of the same Panchayat

can only be appointed as Vikash Mitra and not others and

the private respondent no. 7 does not hail from the same



Panchayat. A representation was made by the petitioner before the Collector, Sasaram which has yet not been disposed off.

3. Ms. Kumari Amrita, learned GP-3 has submitted that the claim of the petitioner cannot be decided as it has become stale. The advertisement seeking application for being considered for the post of Vikash Mitra was issued in the year 2010 and the appointment is of the year 2011. It has also been brought to the notice of this Court that on the complaint made by the petitioner regarding the wrong appointment of private respondent no. 7, the petitioner was asked to appear before the Circle Officer and explain the situation. The writ petition is silent about any development in that regard.

4. It has further been submitted by learned counsel for the State that the authority before whom the complaint could have been lodged is the Sub-Divisional Officer, Sasaram and because of the petitioner barking before a wrong tree, her grievance has not yet been redressed.



5. The counsel for the State submits that the respondent will have no difficulty, if a fresh representation is filed before the Sub-Divisional Officer, Sasaram detailing the grievances of the petitioner and the same shall be disposed off within a reasonable period of time. The aforesaid stand of the State appears to be reasonable.

6. The petitioner is directed to make a detailed representation before the Sub-Divisional Officer, Dehri-on-Sone, Rohtas (respondent no. 4) within a period of four weeks from today. On receipt of the same, the Sub-Divisional Officer, Dehri-on-Sone, Rohtas, after verifying all the necessary facts and affording hearing to the private respondent no. 7, shall pass a reasoned order within a period of six weeks thereafter.

7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.04.2019
Transmission Date	

