

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15284 of 2019

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1. Anil Kumar Singh, Son of Sri Devendra Singh Resident of Village- Senduar, Block- Ekma, P.S.- Ekma, P.O.- Rampur Bindalal, District- Saran.
 2. Kailash Thakur, Son of Late Shiv Mangal Thakur Resident of Village and P.O.- Rith, Block and P.S.- Ekma, District- Saran.
 3. Om Prakash Singh, Son of Late Kapildeo Singh Resident of Village- Eksar, Block and P.S.- Ekma, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna.
3. The Director, Panchayati Raj, Govt. of Bihar, Patna.
4. The Bihar Staff Selection Commission, Patna through its Secretary.
5. The Chairman, Bihar Staff Selection Commission, Patna.
6. The Secretary, Bihar Staff Selection Commission, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Tiwari
For the Respondent/s	:	Mr. Ajay (GA-5)
For the Bihar Staff Selection Commission:		Mr. Padma Deo Narayan

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 31-07-2019 Heard the learned counsel for the petitioners and

the State.

The petitioners have approached this Court for a

direction to the concerned respondents for considering them

for appointment as Panchayat Secretaries.

The petitioners are Dalpaties and according to the

resolution of the Government and in accordance with the



Rules for appointment of Panchayat Secretaries, Dalpaties have to be given preference. The post of Panchayat Secretary is of district cadre and one of the sources from where they are to be appointed are the Dalpaties. Some of the Dalpaties who were not considered for being appointed as Panchayat Secretaries had approached this Court *vide* C.W.J.C. No. 6808 of 2016, who were directed by this Court to make suitable representation before the Director, Panchayati Raj, Government of Bihar, Patna, who was further directed to consider the grievance of the petitioners and pass necessary orders in accordance with law.

This Court has been informed that the District Magistrate of a district is the competent authority to send request to the Bihar State Staff Selection Commission for appointment of Panchayat Secretary. For the Dalpaties to qualify for being considered for appointment on such posts of Panchayat Secretaries, they ought to have filed application before the concerned authority at the appropriate time.

In any view of the matter, this Court directs the petitioners to make suitable representation before the



Director, Panchayati Raj, Government of Bihar, Patna (Respondent No. 3), who shall verify the facts and pass a reasoned order in accordance with law. The Director, Panchayati Raj would also specify in the order as to the mode of appointment and whether the Dalpaties, who have not made requisite application at the required point of time, whether they can be considered for being appointed. The order shall be passed after ascertaining all facts. The order by the Director, Panchayati Raj shall be passed within a period of eight weeks of the receipt of such representation by the petitioners.

With the aforesaid observation / direction, this petition stands disposed off.

It is made clear that this Court has expressed no opinion on the merits of the claim of the petitioners.

(Ashutosh Kumar, J)

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