

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15837 of 2019

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1. Ashok Kumar Yadav, male, aged about 42 years, S/o Late Nand Lal Yadav, resident of Molanapur, P.O. Barsoi, P.S. Barsoi, District Katihar.
 2. Sheela Gupta, female, aged about 43 years, W/o Sushil Kumar Gupta, resident of Raghunathpur, P.O. Barsoi, P.S. Barsoi, District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Deptt., Govt. of Bihar, Patna.
3. The Secretary, Rural Development Deptt., Govt. of Bihar, Patna.
4. The Deputy Secretary, Panchayat Raj Deptt., Govt. of Bihar, Patna.
5. The District Magistrate, Katihar.
6. The Sub-Divisional Officer, Katihar.
7. The District Panchayat Raj Officer, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar Gupta, Adv.

For the Respondent/s : Ms. Archana Meenakshee (GP-6)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 19-08-2019

A supplementary affidavit has been filed during the course of the argument. Let it be taken on record.

2. The petitioners have approached this Court for a direction to the respondents to pay them their



remuneration for the period that they had worked as Secretaries of the Gram Kachahri and also adjust them on the same post in other Gram Panchayat/Kachahri because their services have yet not been terminated, despite the concerned Gram Panchayat having been attached with an Urban body.

3. The aforesaid prayer has been made on the basis of the resolution of the Government as also the rules governing the service conditions of such Secretaries of the Gram Kachahris.

4. The representation of the petitioner which has been filed before the District Panchayat Raj Officer, Katihar has not been responded as yet.

5. It may be also be noted that the petitioners were appointed as Secretaries of the Gram Kachahris under the rules and have discharged their functions till the time, those Gram Kachahris were taken out from the Gram Panchayat and attached to an Urban body.

6. The petitioners' services have yet not been terminated. In such a situation, they are required to know



their fate and they cannot be made to look at the Panchayati Raj System, waiting for any further direction in the matter. The representation of the petitioners, therefore, needs to be adverted to urgently, so that they are made aware of their future prospects.

7. Under the aforesaid circumstances, this Court deems it appropriate to direct the petitioners to make a detailed representation afresh before the District Panchayat Raj Officer, Katihar (respondent No. 7) within a period of two weeks from today, who, on receipt of such representation, after verifying all the relevant facts, shall pass a reasoned order in accordance with law within a further period of six weeks thereafter.

8. With the aforesaid direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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