

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17666 of 2019

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1. Chandra Kishor Prasad S/o Late Mahendra Prasad Village and Post Horil Chapra, P.S. Shahpur, Dist.Bhojpur (Ara)
 2. Dashai Ram S/o Ramnath Ram Village and PO Nawada Ben, P.S. Udwant Nagar,Dist.Bhojpur (Ara)
 3. Sri Niwas Ram S/o Bhoda Ram Village and Po Veerpur,P.S. Shahpur, Dist.Bhojpur (Ara)
 4. Jagdish Prasad S./o Late Ram Janam Ram Village and PO Sarana, PS Shahpur, Dist.Bhojpur (Ara)

... .. Petitioners

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 Principal Sectary, Department of Panchayati Raj, Govt. of Bihar,Patna
4. The Director, Panchayati Raj, Govt. of Bihar,Patna

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Harendra Kumar
For the Respondent/s : Mr.Ajay (Ga5)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-10-2019

The petitioners are seeking following reliefs : -

“That the petitioners prays for issuance of a writ preferably in the nature of mandamus commanding and directing the respondents concerned to appoint the petitioners on the post of Panchayat Sevak/Secretary for which they are entitled to being Dalpaties and ignoring their valid claims, fresh steps has been taken by the respondents by way of advertising the post vide Advertisement No. 06060114 to fill up the posts of Panchayat Secretary by the Secretary, Bihar Staff Selection Commission, Patna. And/or any other relief or reliefs, writ/writs, order/orders, direction/directions, for which the petitioner is found to be entitled in the facts and circumstances of the case.”



Similar matter had come up for adjudication before this Court in case of *Indrajit Sahni and Others vs. The State of Bihar and Others* (C.W.J.C. No. 18236 of 2019). The said writ application was dismissed by an order dated 06.09.2019, taking into account the Division Bench decision of this Court in case of *State of Bihar and Others Vs. Subhash Chandra Shukla and Others*, reported in 2009(4) PLJR 569, and Rule 4 of Bihar Gram Panchayat (Appointment of Secretary, Rights and Duties) Rules, 2011, sub-rule (1) whereof provides that there shall be cent-percent direct appointment to the post of Gram Panchayat Secretary.

In view of the said decision of this Court in case of *Indrajit Sahni and Others* (supra), the relief, which the petitioners are seeking, cannot be granted.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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