

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21354 of 2019

1. Arjun Yadav Son of Bake Yadav Resident of Village- Sareyan, P.S. Husainganj, District- Siwan.
2. Upendra Kumar Son of Nand Kumar Choudhary Resident of Village and Post- Jiyany, P.S. and District- Siwan.
3. Surendra Kumar Singh Son of Jayram Singh Resident of Village- Salempur, P.S. O.P. Dhanouti, District- Siwan.
4. Birendra Yadav Son of Ram Pravesh Yadav Resident of Village and P.O. Gaighat, P.S, Andar, District- Siwan.
5. Vishwakarma Yadav Son of Krishnadev Yadav Resident of Village and Post- Pachlaki, P.S. Noutan, District- Siwan.
6. Babulal Yadav Son of Ramdas Yadav Resident of Village- Baghnouli, P.S. Asanw, District- Siwan.
7. Chandrama Baitha Son of Nageshwar Baitha Resident of Village- Koushar, P.S. Raghunathpur, District- Siwan.
8. Uday Kishore Tiwari Son of Shivji Tiwari Resident of Village- Sareya, P.S. Goreyakothi, District- Siwan.
9. Munna Ram Son of Goutam Ram Resident of Village Agya, P.S. Goreyakothi, District- Siwan.
10. Swaminath Ram Son of Sakuni Ram Resident of Village Alampur, P.S. Jamo Bazar, District- Siwan.
11. Anil Kumar Singh Son of Satya Narayan Singh Resident of Village Tikari, P.S. Husainganj, District- Siwan.
12. Sanjay Upadhyay Son of Fulena Upadhyay Resident of Village and Post- Barka Manjha, P.S. Mairwa, District- Siwan.
13. Vidyasagar Das Son of Babulal Ram Resident of Village- Genhariya, P.S. Raghunathpur, District- Siwan.
14. Sharda Narayan Singh Son of Tejnarayan Singh Resident of Village and Post- Nikhati Thala, P.S. Raghunathpur, District- Siwan.
15. Sudama Ram Son of Harihar Ram Resident of Village- Badram Tola Pandepur, P.S. Husainganj, District- Siwan.
16. Gena Ram Son of Kawleshwar Ram Resident of Village- Ramgadh Tole Jhulouni, P.S. Nautan, District- Siwan.
17. Nandlal Ram Son of Mundrika Ram Resident of Village- Pratappur, P.S. Husainganj, District- Siwan.
18. Vidyanand Ram Son of Gouri Ram Resident of Village- Bargaon, P.S. Mairwa, District- Siwan.
19. Swaminath Ram Son of Meghu Ram Resident of Village- Malalidih, P.S. A.H. Nagar, District- Siwan.
20. Awadhesh Kumar Son of Ramsakal Resident of Village- Dhewar, P.S. Daraunda, District- Siwan.



21. Prakashchand Son of Shiv Prasad Ram Resident of Village- Karsout, P.S. Daraunda, District- Siwan.
22. Brajesh Kumar Singh Son of Ramadhar Singh Resident of Village- Barua, P.S. Raghunathpur, District- Siwan.
23. Anjani Kumar Singh Son of Ramlal Singh Resident of Village- Pateji Bahadur, P.S. Amawn, District- Siwan.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Director, Department of Panchayati Raj, Government of Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
Mr.Suraj Kumar
For the Respondent/s : Mrs.Archanan Meenakshee (Gp6)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-10-2019 The petitioners claim that they are working as Dalpatis and their cases should be considered for appointment against the post of Panchayat Secretary in the light of a policy decision of the State Government.

Though the writ application has been placed with office notes, pointing out defects on the point of payment of deficient Court fees, in my view, this writ application does not have any merit in view of a recent order passed by 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 granted.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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