

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8466 of 2020

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Kanti Devi W/o Sunil Kumar R/o Village- Balua, P.o.- Belhari, P.s.-
Belaganj, District- Gaya

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Rural Development Department, Government of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna
3. The District Magistrate, Gaya
4. The District Panchayat Raj Officer, Gaya
5. The Block Development Officer, Belaganj
6. The Block Panchyati Raj Officer, Belaganj
7. Mukhiya, Belhari Panchayat, Belaganj
8. Deputy Mukhiya Belhari Panchayat, Belaganj
9. Panchayat Secretary, Belhari Panchayat, Belaganj

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.
For the Respondent/s : Mr. Kumar Alok, S.C. -7

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-03-2021 Heard the learned counsel for the petitioner and

the learned counsel for the State.

The petitioner stands aggrieved by the fact that

someone else has been appointed as Ward Secretary to deal

with Mukhyamantri Gali Nali Pakkikaran Scheme in the

concerned block and therefore a prayer has been made for a

direction that her appointee, namely, Ram Pravesh Prasad be



designated as In-charge Secretary for the said purpose in stead of one Sonu Kumar.

Learned counsel for the petitioner has submitted that the petitioner had presided over a meeting and had been a signatory to the resolution that aforesaid Ram Pravesh Prasad would act as Ward Secretary in connection Mukhyamantri Gali Nali Pakkikaran Scheme, which would be in consonance with the guidelines of the Ward Implementation and Management Conduct of Business Rule 2017 (Panchayati Raj Act).

This writ petition lacks in material particulars. Aforesaid Sonu Kumar has not been impleaded as a party respondent.

However, in order to set at rest the controversy racked up by the petitioner, this Court has gone through the counter affidavit of respondent no. 2 which has *inter alia* stated that with respect to such Government projects, necessary directions have been issued to all the District Magistrates and Deputy Development Commissioners to be rather vigilant about the implementation of such Government



schemes and the budget as well as the expenditure delineated for such purpose. There appears to be some dispute with respect to the authority regarding the appointment of the Ward Secretary who would be made Incharge for such Project.

Mr. Kumar Alok, learned SC-7 has stated that he has very recently received a report from the concerned officer that Sonu Kumar has rightly been appointed as the Ward Secretary for the purpose but the petitioner wanted Ram Pravesh Prasad to be appointed on the said post. He has further submitted that these factual issues ought not to be gone into by this Court and the matter be relegated to the District Magistrate of the concerned district, who has the authority to look into any irregularity with respect to the appointment of such Ward Secretaries and the implementation of the beneficial schemes of the Government as also the expenditure on that account.

There is force in the contention of the learned counsel for the State.

The petitioner, if so advised, can approach the



concerned District Magistrate, who shall hear the grievance of the petitioner and shall pass a reasoned order in accordance with law within a reasonable period of time.

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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