

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.615 of 2021

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1. Panchayat Ward Sachiv Sangh Patna (Bihar) its head Office at Mo-Kahipur Quarter, Naya Tola, Po and PS-Kadamkuan, Patna through its State Secretary Pranay Thakur aged about 39 Years (Male), Son of Suresh Thakur, Resident of basantpur Jhitakahi, Ward no.01, Po and PS-Dholi, District-Muzaffarpur.
 2. Pranay Thakur Son of Suresh Thakur Resident of Basantpur Jhitakahi, Ward no.01, PO and PS-Dholi, District-Muzaffarpur
 3. Chandan Kumar Son of Umesh Sah Resident of village-Pilwaha, PS-Jadia District-Supaul

... .. Petitioner/s

Versus

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

... .. Respondent/s

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv
For the Respondent/s : Mr. Ajay Kumar Rastogi AAG-10

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“That this application is being filed in the shape of public interest litigation for a direction upon the state respondents to make provision for monthly remuneration for the services paid by the members of the petitioner



association who are discharging full time duties as “ward Sabha Secretary” in their respective wards of all panchayat’s of entire state of Bihar in the light of sub Rule (4) of Rule 3 of the Bihar Ward Sabha & Ward Implementation and Management Committee conduct of business Rules, 2017 and are facing musings of prosecution for their wrong if any occurred in due discharge of duties. And/or pass such other order orders to which petitioner is entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);



(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e.



physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2021.
Transmission Date	NA

