

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4714 of 2021

1. Vinit Kumar Ram Son of Ramashish Ram resident of village- Pauram Paurao, P.s.- Hayaghat, District- Darbhanga
2. Mukesh Kumar Ram Son of Ramphal Ram resident of Madhuvan Pokhar Bhinda, Harpatti Panchayat Bhawan, Police station- Bahadurpur, District- Darbhanga
3. Ravi Ranjan Labh Son of Gopesh Kumar Lal resident of village- Gorapatti, Ward no. 3, P.s.- Ashok Paper Mill, District- Darbhanga
4. Soni Kumari wife of Sri Vijay Kumar Jha resident of village- Bahadurpur, Rampur Madan, P.s.- Bahadurpur, District- Darbhanga
5. Maheshwar Kumar son of Sri Mohan Ram resident of Mohalla- R.S. Tank, Laheriyasarai, P.s.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department
2. The Principal Secretary, the General Administration Department, Govt. of Bihar, Old Secretariat, Patna
3. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, New Secretariat, Patna
4. The Managing Director, Bihar Administrative Reforms Society, General Administration Department, Govt. of Bihar, Patna
5. The Additional Mission Director, Bihar Administrative Reforms Mission Society, General Administration Department, Govt. of Bihar, Patna
6. The Officer on Special Duty Bihar Administrative Reforms Mission Society, General Administration Department, Govt. of Bihar, Old Secretariat, Patna
7. The Managing Director, Beltron, Sheikhpura, Patna
8. The District Magistrate, Darbhanga
9. The District Magistrate, Vaishali
10. The District Magistrate, Gopalganj
11. The District Magistrate, Sheikhpura
12. The District Magistrate, Saharsa
13. The District Magistrate, Bhagalpur
14. The District Magistrate, Gaya
15. The District Magistrate, Banka
16. The District Magistrate, Khagaria
17. The District Magistrate, Bhojpur
18. The District Magistrate, Jahanabad
19. The District Magistrate, Kaimur



20. The District Magistrate, Arbal

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s : Mr. M.N.H. Khan, SC 1

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 01-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioners have prayed for the following relief(s):-

“(i) For issuance of an appropriate Writ or Writs, Order or Direction, commanding the respondents only to select/engage in the 8386 Gram Panchayats of Bihar on the basis of panel so prepared by the Bihar Administrative Reforms Mission Society (hereinafter referred to as ‘the Society’) which is functioning under the General Administration Department, Govt. of Bihar by keeping the Letter No. 2341 dated 23.12.2019 in abeyance as contained Annexure-1 of this petition.

(ii) For further issuance of an appropriate Writ or Writs, Order or Direction, commanding the respondents not to fill up those posts after requisitioning names from BELTRON as this stand is contrary to earlier stand by the Department.

(iii) For issuance of an appropriate Direction to the respondents to employ these petitioners as an Executive Assistant on contract basis in the Gram



Panchayat of the Districts where they have applied.”

(iv) For giving any other relief or reliefs to which the petitioners are legally entitled in the facts and circumstances of the case.”

For issuance of writ of mandamus there must be two ingredients namely legal and statutory right followed by demand before the competent authority. Perusal of the writ petition both the ingredients are not forthcoming, therefore, the present petition cannot be entertained in the light of Hon’ble Apex Court decision in the case of **Mani Subrat Jain vs. State of Haryana** reported in **(1977) 1 SCC 486**.

Accordingly, the present writ petition stands dismissed reserving liberty to the petitioners to approach the competent authority in submitting a detailed representation along with the judicial pronouncements, if any within a period of eight weeks from the date of receipt of this order. On receipt of petitioner’s representation the competent authority is hereby directed to pass a speaking order and communicate to the petitioner within a reasonable period of time.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

