

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12189 of 2021

1. Chandan Kumar Son of Harendra Prasad Resident of Village-Ramanagar, Shiv Tola, Ward No. 10, P.O.-Sandha, P.S.-Sadar Chapra, District-Saran.
2. Sushil Kumar Singh Son of Chandradeep Singh Resident of Village and P.O.-Chanchaura, Ward No. 06, P.S.-Chapra Muffasil, District-Saran.
3. Mukesh Kumar Ram Son of Ashok Kumar Ram Resident of Village -Ward No. 02, P.O.-Musehari, P.S.-Chapra Muffasil, District-Saran.
4. Lalan Kumar Ram Son of Nand Lal Ram Resident of Village -Marahiyan, Ward No. 01, P.O.-Mira Musehari, P.S.-Chapra Muffasil, District-Saran.
5. Sanjay Kumar Ray Son of Munshi Ray, Resident of Village and P.O.-Chanchaura, Ward No. 05, P.S.-Chapra Muffasil, District-Saran.
6. Mahesh Ram Son of Mishri ram Resident of Village and P.O.-Chanchaura, Ward No. 07, P.S.-Chapra Muffasil, District-Saran.
7. Bablu Kumar Son of Shivpujan Sah Resident of Village and P.O.-Magaidih, Ward No.11, P.S.-Chapra Muffasil, District-Saran.
8. Ranjan Singh Son of Prabhunath Singh Resident of Village -Ram Kolwa, Ward No. 04, P.O.-Chanchaura, P.S.-Chapra Muffasil, District-Saran.
9. Santosh Kumar Ram Son of Ram Dayal Ram, Resident of Village -Dumariya, Ward No. 05, P.O.-Chanchaura, P.S.-Chapra Muffasil, District-Saran.
10. Rakesh Kumar Ram Son of Rajeshwar Ram Resident of Village -Dumariya, Ward No. 06, P.O.-Chanchaura, P.S.-Chapra Muffasil, District-Saran.
11. Arun Kumar Son of Rajbihari Manjhi Resident of Village -Methvoliya, Ward No. 01, P.O.-Chanchaura, P.S.-Chapra Muffasil, District-Saran.
12. Sanjay Kumar Son of Nag Narayan Rai Resident of Village -Dumariya, Ward No. 03, P.O.-Chanchaura, P.S.-Chapra Muffasil, District-Saran.
13. Abhishek Kumar Son of Permeshwar Yadav Resident of Village -Jatua, Ward No. 12, P.O.-Nainee, P.S.-Chapra Muffasil, District-Saran.
14. Raj Kumar Ram Son of Shiv Bali Ram Resident of Village -Shidhwaliya, Ward No. 14, P.O.-Phakuli, P.S.-Chapra Muffasil, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Panchayati Raj Department, Govt. of Bihar, Patna.
4. The District Collector, Saran (Chapra).
5. The District Panchayatiraj Officer, Saran (Chapra).
6. The District Programme Officer, Saran (Chapra).
7. The Block Development Officer, Sadar Chapra, District-Saran (Chapra).



8. The Block Panchayatraj Officer, Sadar Chara, District-Saran (Chapra).
9. The Panchayat Secretary, Gram Panchayat, Mauna, P.S. and Block-Sadar Chapra, District-Saran (Chapra).
10. The Panchayat Secretary, Gram Panchayat, Gram Panchayat Badlu Tola, P.S. and Block Sadar Chapra, District-Saran (Chapra).
11. The Panchayat Secretary, Gram Panchayat Karinga, P.S. and Block Sadar Chapra, District-Saran (Chapra).
12. The Panchayat Secretary, Gram Panchayat Lohari, P.S. and Block Sadar Chapra, District-Saran (Chapra).
13. The Panchayat Secretary, Gram Panchayat Sanda, P.S. and Block Sadar Chapra, District-Saran (Chapra).
14. The Panchayat Secretary, Gram Panchayat Phakuli, P.S. and Block Sadar Chapra, District-Saran (Chapra).

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 17770 of 2021

Narendra Kumar Mahto Son of Satyanarayan Mahto, resident of Village - Mahanji, Ward No. 4, P.O.- Kotwapatti, P.S.- Doriganj, District - Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director Panchayati Raj Department, Govt. of Bihar, Patna.
4. The District Collector, Saran (Chapra).
5. The District Panchayatiraj Officer, Saran (Chapra).
6. The District Programme Officer, Saran (Chapra).
7. The Block Development Officer, Sadar Chapra, District - Saran (Chapra).
8. The Block Panchayatraj Officer, Sadar Chapra, District - Saran (Chapra).
9. The Panchayat Secretary, Gram Panchayat, Kotwapatti Rampur, Block - Sadar Chapra, P.S.- Doriganj, District - Saran (Chapra).
10. The Mukhiya Gram Panchayat, Kotwapatti Rampur, Block - Sadar Chapra, P.S.- Doriganj, District - Saran (Chapra).

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 12189 of 2021)

For the Petitioner/s : Mr.Maya Shankar Mishra, Advocate

For the Respondent/s : Mr.Lalit Kishore (Ag)

(In Civil Writ Jurisdiction Case No. 17770 of 2021)



For the Petitioner/s : Mr.Maya Shankar Mishra, Advocate
For the Respondent/s : Mr.Archna Meenkshee (Gp6)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-06-2022 The petitioners of the aforesaid two cases have approached this Court for issuance of direction upon the respondents to grant remuneration for the work discharged by them as “*Anurakshak*” under various Gram Panchayats situated in the district of Saran at Chapra.

The learned counsel appearing for the State has referred to the policy of the State Government as contained in resolution dated 22.06.2021, issued by the Panchayati Raj Department, Government of Bihar, Patna to submit that the payment is required to be made according to said scheme, however since factual aspects are required to be determined i.e. regarding the actual tenure of the petitioners, it would be appropriate that the matter be remanded to the District Magistrate, Saran at Chapra to consider the individual cases of the petitioners of the aforesaid two cases and pass appropriate orders.

Having regard to the facts and circumstances of the case, the aforesaid writ petitions are disposed off with liberty to the petitioners to approach the District Magistrate, Saran at Chapra by filing appropriate representations, within a period of four



weeks from today and in case, such representations are filed, the District Magistrate, Saran at Chapra shall take appropriate decision by passing a reasoned and a speaking order, within a period of six weeks, thereafter considering the scheme of the Government contained in the aforesaid resolution dated 22.06.2021 and in case, any amount is found payable, the same shall be paid forthwith to the petitioners.

(Mohit Kumar Shah, J)

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