

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15410 of 2019

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1. Rajesh Kumar Verma Son of Late Jay Narayan Lal Resident of Village and Gram Panchayat- Sahra, Block- K. Nagar, Sub-Division- Purnea Sadar, District- Purnea at present residing at Thana Chowk Maulvi Tola, Madhubani, Ward No.16, Purnea, Police Station- K. Hat, District- Purnea.
 2. Sri Niwas Tiwary Son of Sankatha Tiwary Resident of Village- Kathaura, Gram Panchayat and Post and Police Station- Sonhan, Block- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. P . K.Verma (AAG 3)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

7 19-09-2022

Petitioners have prayed for the following relief(s):

1. That this is an application for issuance of an appropriate writ order or direction for quashing the provision made under Rule 16^{6 and} relating to appointment of Dalpati and area officer published vide notification no.2488 dated 13.6.2005 framed the power conferred under section 121 read with section 32A of the Panchayat Raj Act, 1993 hereinafter referred to as Rules, 2004



namely Bihar Village Volunteer Force (Organisation duty and Conduct) Rules, 2004 contrary to the stand taken by the State Respondents in earlier writ petition filed by petitioner no.2 as quoted in order dated 27.3.2015 in C.W.J.C.No.10980 of 2000 for framing the rule Dalpati as a employee of Panchayat rule is required to be framed under section 151 of Panchayat Raj Act, 1993 hereinafter referred as Act,1993. Be further give direction to the State authorities to insert the provisions made under section 151 of the Act,1993 relating to Dalpati and Area Officers who are employees of the Gram Panchayat for whom specific provision has been made as mentioned in 151 of the Act,1993, as follows: *"The State Government shall make rules relating to the method of recruitment and the terms and conditions of service including the pay and allowances, superannuation, provident fund and gratuity of the employees of the Panchayat"*

On 29.08.2022, we had passed the following order:

" The present petition was filed on the vakalatnama signed by two learned advocates namely, Shri Jitendra Kumar Roy and Shri Sumit Kumar. Shri Jitendra Kumar Roy is no more in the land of living. As such, on 12th July, 2022, the matter was adjourned. Name of Shri Sumit Kumar is printed in the daily cause list.

Despite repeated calls, none has entered appearance for the petitioners. However, in the interest of justice, matter is adjourned.

List on 12th of September, 2022."

Today also none has entered appearance on behalf of



the petitioners.

As such, the present petition is dismissed for non-prosecution.

(Sanjay Karol, CJ)

(S. Kumar, J)

Anjani/-

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