

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3059 of 2023

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Nagesh Singh Son of Late Badri Singh, Resident of Village-Kajhwan, P.O.-
Aranda, P.S.-Obra, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Panchayati Raj Veerchand Patel Road, Jawahar Lal Nehru Marg, Patna.
2. The Director, Panchayati Raj, Veerchand Patel Road, Jawahar Lal Nehru Marg, Patna.
3. The District Magistrate, Aurangabad.
4. The Deputy Collector (Establishment), Aurangabad.
5. The Block Development Officer, Aurangabad P.O. and P.S.-Aurangabad, District-Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the State : Mr. Satya Vrat, AC to GP- 10

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. There is no application of the petitioner on record, to show that he has ever claimed the alleged due salary from July, 2017 for the work discharged by him as a ‘Panchayat Secretary’.

3. Regarding exercise of jurisdiction under Article 226 of the Constitution of India, it is well settled that only, if there is a demand by a person and refusal by the Authorities to grant what is due; or failure by any Authorities to discharge any duty or obligation, that the extraordinary jurisdiction under Article 226 of the Constitution of India can be invoked by the petitioner for



issuance of a writ of mandamus to compel the discharge of such duty or obligation.

4. There being no demand before any Authority, and no failure by any authority to discharge its duty or obligation, this Court does not consider it fit case for exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, in favour of the petitioner.

5. The petitioner would be at liberty to make a representation before the appropriate authority.

6. Accordingly, writ petition is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

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