

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.414 of 2023

1. Ramashish Singh Son of Late Suvlal Singh, Resident of Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
2. Shakuntala Devi Wife of Suresh Prasad Singh, Resident of Ward No. 3, Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
3. Bechan Chaudhary Son of Panchlal Chaudhary, Resident of Ward No. 7, Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
4. Jatish Kumar Singh Son of Saryug Mahto, Resident of Ward No. 10, Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
5. Kushma Devi W/o Ram Udgar Mahto, Resident of Ward No. 4, Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
6. Vijay Kumar Das Son of Singheshwar Das, Resident of Ward No. 6, Village- Kanhauli, Gram Panchayat- Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
7. Kusheshwar Yadav Son of Bhullar Yadav, Resident of Ward No. 11, Resident of Village- Harishvara, Gram Panchayat Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
8. Mangal Sah @ Mangal Sahu, Son of Laturan Sah @ Laturan Sahu, Resident of Ward No. 12, Resident of Village- Harishvara, Gram Panchayat Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.
9. Baldev Mandal, S/o Jaleshwar Mandal, Resident of Ward No.13, Resident of Village- Harishvara, Gram Panchayat Kanhauli, Block- Khajauli, Police Station- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
3. The District Magistrate, Madhubani.
4. The District Gram Panchayat Raj Officer, District Madhubani.
5. The Deputy Development Officer, District- Madhubani.
6. The Block Development Officer, Block- Khajauli, District- Madhubani.
7. The Block Panchayat Raj Officer, Block- Khajauli, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Respondent/s : Mr. Satya Vrat AC to GP-10



CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 21-08-2023

Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioners and Mr. Satya Vrat, learned AC to GP-10 for the State.

2. By invoking the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India, the petitioner no.1, who happens to be the then Mukhiya of the Gram Panchayat Raj Kanhauli whereas the petitioner nos. 2 to 9 are Ward Members of the said Panchayat seek a direction upon the concerned-respondents to ensure payment of their honorarium.

3. Learned counsel for the petitioners contended that as per the circular of the State Government, a decision has been taken that the elected representative of Gram Panchayat shall be allowed honorarium, and in view thereof, the Mukhiya of the Gram Panchayat would be entitled for Rs.2500/- per month as honorarium whereas the Ward Member would get Rs. 500/- per month. He further contended that for ventilating their grievance, all the petitioners by filling different representations represented before the concerned respondent, but till date they have not get their due honorarium.



4. Learned counsel for the State submits that if the petitioners shall file a fresh representation before the respondent no.6, Block Development Officer, Khajauli, District-Madhubani, it shall be considered in accordance with law and if found payable, the same shall be paid to them.

5. In view of the submissions made on behalf of the parties, the present writ petition is disposed of with a liberty to the petitioners to file a fresh representation for airing their grievance before the respondent no.6 within four weeks’ from today.

6. Needless to observe that if such representation is filed, the respondent no.6 shall act on it and dispose it of by a reasoned and speaking order within eight weeks’ from its filing and if they are found entitled, they shall be allowed consequential benefits.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22-08-2023
Transmission Date	

