

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9938 of 2024

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Sridhar Prasad Singh, Son of Late Jagdish Prasad Singh, resident of Mohalla
Ward No.- 6, Ramnagar, P.O.- Jamalpur P.S.- Nayaram Nagar, District-
Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati, Bihar, Patna.
2. The Additional Chief Secretary, Panchayat Raj Department, Patna.
3. The Additional Chief Secretary Department of Finance, Bihar, Patna.
4. The Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
5. The Joint Secretary, Department of Panchayati Raj, Bihar, Patna.
6. The Deputy Director-cum-Deputy Secretary, Department of Panchayat Raj, Bihar, Patna.
7. The Divisional Commissioner, Munger Division, Munger.
8. The District Magistrate, Munger.
9. The Deputy Development Commissioner, Munger.
10. The District Panchayat Raj Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate
For the Respondent/s : Mr.Addl. Advocate General (4)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2024 Learned counsel for the petitioner and learned
counsel for the State are present.

2. The petitioner has prayed for the following
relief/s :-

“(i) For issuance of an appropriate writ
in the nature of mandamus commanding the
responsible respondents for a direction to
regularize the service of the petitioner of the
training period of Panchayat Sewak and to pay the



salary in regular scale of pay of the post of Panchayat Sewak with effect from the date he was appointed to the post of Panchayat Sewak and he was sent for training with effect from 24.04.1999 to 04.12.2000 as after completion of training vide Memo No.293 dated 04.12.2000 issued by under the signature of Respondent No.08 the petitioner with other Panchayat Sewaks were appointed on the post of Panchayat Sewak in the pay scale of Rs.3200-4900/- but the petitioner was not paid salary of Panchayat Sewak from 24.04.1999 to 04.12.2000.

(ii) For a direction the responsible respondents and also for considering the representation dated 05.04.2018 given to the Respondent No.01, representation dated 06.02.2018 given to the respondent No. 07 and representation dated 06.04.2018 given to the Respondent 10 and to pay salary for the period of training of Panchayat Sewak till the posting on the post of Panchayat Sewak i.e. from 24.04.1999 to 04.12.2000, as the case of the petitioner is fully covered with the judgment of this Hon'ble Court passed in CWJC No. 7935 of 1994 with CWJC No.4561 and 4025 of 1995 dated 27.07.1995.”

3. Learned counsel for the petitioner submits that the petitioner was appointed to the post of Dalpati at Ramnagar Panchayat in the district of Munger. He further submits that on 12.04.1999, a meeting of the Panchayat Establishment Selection Committee was held and a decision was taken that the Dalpati whose educational qualification is Matriculation is selected for the appointment on the post of Panchayat Sewak and will be sent for training and will be posted into Block vide Memo No. 187 dated 24.04.1999 issued under the signature of the



respondent No.8.

4. Learned counsel for the petitioner further submits that subsequent development took place and the petitioner was appointed provisionally at the pay scale of Rs. 3200-4900. Subsequently, by the order of this Hon'ble Court which is Annexure -P/9, the relief was granted to the similarly situated person as like that of the petitioner but relief could not be made to him. Thereafter, the petitioner filed the representation before the authority concerned, particularly the District Magistrate, Munger. In this regard, the District Magistrate, Munger has written a letter to the Joint Secretary, District Panchayati Raj Department, and sought a guideline vide letter No. 327 dated 10.04.2018, but no decision has been taken which has created cause of action for the petitioner and therefore he has filed the present writ petition. But prior to filing this writ petition, he has filed a representation before the Principal Secretary, Panchayati Raj Department, Government of Bihar (Annexure P/6 to the writ petition) as well as other authorities.

5. Learned counsel for the State opposing the writ petition and submits the basic cause of action as per the representation before the Principal Secretary, Panchayati Raj Department, Government of Bihar, and after retirement, the



petitioner has filed the present writ petition.

6. After hearing the parties and perusal of the document, it transpires to this Court that the petitioner's issue is still alive which is apparent from letter No. 327 dated 10.04.2018 Annexure P/8 and a decision has to be taken at the level of the Panchayati Raj Department.

7. In this background, the writ petition is disposed off with a direction to the Principal Secretary, Panchayati Raj Department, Government of Bihar, to decide the case of the petitioner at Annexure P/6. The petitioner shall be at liberty to file additional representation before him/her within 30 days from the date of production of a copy of this order and the Principal Secretary, Panchayati Raj Department, Government of Bihar is directed to pass a reasoned and speaking order within 90 days thereafter.

9. With the aforesaid observation and direction, the writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

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