

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10348 of 2024

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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.Sunil Kumar Singh, Advocate Mr.Bipin Bihari Singh, Advocate
For the Respondent/s	:	Additional Advocate General (7)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 09-07-2024

Heard Mr. Sunil Kumar Singh along with Mr. Bipin Bihari Singh, learned counsels appearing on behalf of the petitioner and learned Additional Advocate General No.7 for the State.

2. Learned counsel appearing on behalf of the petitioner informs that the petitioner is Panchayat Sewak appointed in the Year, 2004, who has not been paid due salary from July, 2017 till date without any reason.

3. The petitioner has informed that in the year, 2017, he was transferred to Barun and thereafter, he was



transferred to several places, as would appear from **Annexure 'P/2'**. The order of transfer was duly issued by the Panchayati Raj Department and executed by the District Magistrate.

4. The petitioner was relieved from Rafiganj block and he joined Aurangabad block on 02.07.2020 and since then he is working at Aurangabad block.

5. Being aggrieved by non-payment of salary since July, 2017, the petitioner had filed representation before the District Panchayati Raj Officer, Aurangabad on 18.11.2023. The petitioner is aggrieved that no action has been taken by the District Panchayati Raj Officer, Aurangabad till date on his representation.

6. The petitioner can not be denied his due salary for the work, which he has rendered all through, as claimed by him.

7. The petitioner has been availing remedy and it appears to this Court that the District Panchayati Raj Officer in a *mala fide* manner has harassed the petitioner by not considering his claim for the aforesaid period.

8. Considering the submissions made on behalf of the petitioner, I find it proper that the petitioner, if so advised, may file a comprehensive representation before the Additional Chief Secretary, Panchayati Raj Department, Government of



Bihar (hereinafter to be referred as the ‘ACS’) for considering his grievances. The ACS is directed to call the service particulars relating to the petitioner from the different blocks where the petitioner had worked since 2017 till date and based on such information or any other information take steps to make payment of salary along with other consequential benefits to which the petitioner is entitled for well within a period of six weeks from the date of filing of his representation.

9. In case, he finds that the claim of the petitioner for payment of salary from the year, 2017 (or any applicable date) till date do not find any consideration then in that case, he must provide the petitioner reasonable opportunity of hearing to place his case and thereafter, pass a reasoned order in accordance with law taking into consideration several decisions of the Apex Court referred by the petitioner in the present writ petition.

10. The present writ petition is accordingly disposed of.

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2024
Transmission Date	NA

