

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18644 of 2021

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Premlata Kumari Wife of Sunil Kumar Resident of Village/MOhalla-Shiv Pur,
Police Station and Post Office-Rajauli, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, having his Office at New Secretariat, Patna.
2. The Director, Directorate of Panchayati Raj, New Secretariat, Patna.
3. The District Magistrate/Officer, Nawada.
4. The District Panchayat Raj Officer, Nawada.
5. The Block Development Officer, Rajauli, Nawada.
6. The Block Panchayat Raj Officer, Rajauli, Nawada.
7. The Sarpanch Gram Katchahri Jogia Marah, Rajauli, Block, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate
For the Respondent/s : Mr.P.N. Shahi (Aag6)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2024

1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of writ in the nature of Mandamus directing and commanding the respondent to grant extension of service tenure of petitioner on the post of Gram Katchari Sachiv of Jogia Maran, Gram Katchahari under Rajauli Block in the District of Nawada in pursuance of Panchayati Raj Department Govt of Bihar letter No. 4695 dated 12.7.2016 and its official Gyapank 1200/ Panch dated 10.6.2016 (as contained in Annexure-5) thereby and in compliance of above said letters the District officer (Respondent No.3) has issued letter No.



1409/ Panch. Dated 8.8.2016 (as Contained Annexure-6) by which directed the all BD.O., B.P.R.O. and sarpanch (here in Respondent No. 5 to 7) to extend the contractual service of all the Gram Katchahari Sachiv who working since earlier/ got employment on contract basis on said post till further order or tenure of Gram Katchahari but the respondents No.5 to 7 here in have extended the service to remaining all gram Katchahari sachiv except this petitioner and on another saying as the matter of this petitioner and another one is pending before Hon'ble High court, Patna vide its letter No. 1224 dated 22.11.2016 (as contained in annexure 7) where as the matter of petitioner and another pending before this Hon'ble Court related to due payment of Honorarium which has been illegally withheld by respondent, the said writ petition has been allowed and due payment has already been paid to the petitioner & others hence also the respondents have not extend the contractual service of petitioner in light of Panchayat Raj Vibhag letter No. 4695 dated 12.7.2016 for which the petitioner tried her level best but all in Vain, the respondents are sitting tight over the matter reason best known to them.

(ii) Further for issuance of writ in mandamus that due to act of respondents the Scheme of Govt. Under Panchayati Raj Vyabastha became collapse and the function of Gram Kutchahari,



Jogia Maran is fully stopped since 2016 to its whole tenure 2016-2021 neither the respondent extend the service of petitioner nor removed her from service and has not made new appointment on said post, as a result of which within five years 2016-2021 the office of Gram Kutchahari, is fully closed, under the Panchayti Raj Vayavbastha the work and function of office of Gram Kutchahari, is run by the hand of Gram Katcharri Sachiv but heither the official respondants nor the elected members, have take step to restart the office of Gram Katchari Jogia Maran since whole tenure of Gram Katchahry i.e. 2016- 2021.

(iii) To direct the respondent to immediate grant extension to the service tenure of petitioner on the post of Gram Katchari Sachiv Jogia Maran Rajauli to restart the function and movement of said Gram Katchahari in next tenure.

(iv) Further for issuance writ of mandamus to direct the state Govt. To enquire the matter about the function of Gram Katchahari, Jogia Maran under Rajauli Block of the district of Nawadah of whole tenure i.e. 2016-2021 and also enquire about the financial expenditure or allotment of funds on different-2 mode of whole, tenure and do action accordance with law.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District



Magistrate, Nawada for redressal of his aforesaid grievances.
Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the District Magistrate, Nawada, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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