

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14810 of 2023

Sanjay Kishore Son of Sri Bali Ram Prasad, Resident of Slam No. 194,
Kankarbagh Colony, P.S.- Kankarbagh, Post- Lohiya Nagar, Pin-800020,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Develop
Department, Government of Bihar, Patna.
2. The Principal Secretary, Rural Develop Department, Government of Bihar,
Patna.
3. The Special Secretary, Rural Develop Department, Government of Bihar,
Patna.
4. The Officer on Special Duty, Rural Develop Department, Government of
Bihar, Patna.
5. The Chief Executive Officer, Bihar Rural Development Society, Red Cross
Building Gandhi Maidan, Patna.
6. Chief Operative Officer (C.O.O.), Managing Director, Bihar Rural
Development Society, Red Cross Building Gandhi Maidan, Patna.
7. The District Magistrate, District- Vaishali.
8. The Deputy Development Commissioner, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Avanindra Kumar Jha, Adv.
For the Respondent/s	:	Mr.Vinay Kirti Singh, GA- 2
		Mr.Akhileshwar Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-03-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1.(i) To hold and declare that, the order as
contained in Memo No. 220 dated 27.01.2015, by
the Respondent No. 6, (Annex-1) whereby and
whereunder the Petitioner's services as
Panchayat Rojgar Sewak, Gram Panchayat
Nawanagar, Block -Bidupur, has been terminated,*



is bad in law & on facts and as such fit to be set aside, by this Hon'ble Court.

(ii) To hold and declare that, the action of the District Magistrate, (Resp. No.5), in not disposing the appeal (Annex- 3) preferred by the petitioner, against the order of the Respondent No. 6, (Ann-1), is arbitrary, discriminatory, bad in law, unsustainable in the eye of law, and as such fit to be deprecated by this Hon'ble Court.

AND CONSEQUENT UPON SUCH DECLARATION

(iii) For issuance of appropriate orders, direction or writ in the nature of Certiorari for quashing the order as contained in Memo No. 220 dated 27.01.2015, by the Respondent No. 6, (Annex 1), whereby and where under the Petitioner's services as Panchayat RojgarSewak, Gram Panchayat Nawanagar, Block- Bidupur, has been terminated.

(iv) For issuance of appropriate orders, direction or writ in the nature of Mandamus for directing the respondents concerned to reinstate the Petitioner in the service as Panchayat Rojgar Sewak, in Gram Panchayat Nawanagar, Block Bidupur, forthwith, as if impugned orders were never been in existence.

(v) For issuance of appropriate orders, direction or writ in the nature of Mandamus for directing the respondents concerned to make payment of current as well as arrears Salary, along with penal interest, at least at the rate of 12%.”



2. At the outset, the learned counsel for the petitioner seeks a direction upon the District Magistrate, Vaishali at Hajipur, to dispose off the appeal filed by the petitioner on 25.03.2015 (Annexure-3 to the writ petition), within a stipulated time frame.

3. Per contra, the learned counsel for the respondent-State submits that the aforesaid appeal, filed by the petitioner shall definitely be disposed off, within a period of four weeks from today. It is directed accordingly.

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

(Mohit Kumar Shah, J)

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