

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4632 of 2025**

1. Alok Nath Jha S/o Late Shyam Nath Jha, resident of Near Kabir Chowk, P.S. and District-Saharsa.
2. Awadhesh Ram, son of Late Mahavir Ram, resident of Saharsa Basti, Ward No. 38/27, P.S. and District-Saharsa.
3. Devendra Kumar, son of Late Rashik Sharma, resident of Mohalla-Jhapra Tola, Ward No. 34/44, P.S. and District-Saharsa.
4. Tej Narayan Choupal, son of Birbal Choupal, resident of Village-Kataiya, P.O.-Sattar, P.S.-Bihra, District-Saharsa.
5. Ranjana Kumari, Wife of Rajiv Kumar Verma, resident of Mohalla-Kayasth Tola, Ward No. 33, P.S. and District-Saharsa.
6. Shanti Kumari, Wife of Pravin Kumar Pankaj, resident of Mohalla-Naya Bazar, Ward No. 13, P.S. and District-Saharsa.
7. Pramod Das, son of Jagdish Paswan, resident of Village-Gospur Patti, P.O.-Balbhadrapur, P.S.-Birpur, District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayat Raj, Government of Bihar, Patna.
2. The Principal Secretary, Department of Administration, Government of Bihar, Patna.
3. The Director, Panchayat Raj Department, Government of Bihar, Patna.
4. The Commissioner, Koshi Division, Saharsa.
5. The District Magistrate, Saharsa.
6. The District Panchayat Raj Officer, Saharsa.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate  
For the Respondent/s : Mr. Anirban Kundu, SC-24

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      27-03-2025

Heard the parties.

2. The petitioners who have been appointed as Nyaya Mitra in different Gram Panchayats of the district of Saharsa in between 2007 and 2015; and their services have later on adjusted against different Gram Panchayats on account of formation of Nagar Nigam, Nagar Panchayat and Nagar



Parishad, are aggrieved with the action of the District Magistrate, Saharsa, who arbitrarily cancelled the order of adjustment of the petitioners. Aggrieved with the order of the District Magistrate, Saharsa, the petitioners preferred Service Appeal No.60/2024. On being found merit in the case, the order of the District Magistrate, Saharsa came to be stayed by the Divisional Commissioner, Koshi Division, Saharsa vide order dated 09.04.2024.

3. Mr. Pramod Mishra, learned Advocate for the petitioners vehemently submitted that despite the impugned order of cancellation of the adjustment stands stayed by the respondent no.4, the petitioners have not been allowed to work as Nyaya Mitra and the steps are being taken to fill up the post of Nyaya Mitra against which the petitioners have been discharging their duties. It is further contended that the service appeal is kept pending before the respondent no.4 and till date it has not been brought to its logical conclusion; hence, the petitioners are in lurch.

4. Mr. Anirban Kundu, learned Advocate for the State has fairly contended that since the matter is pending consideration before the respondent no.4, who is the competent authority and shall look into the matter and pass a final order.



5. Considering the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the service appeal preferred by the petitioners is pending consideration, the present writ petition stands disposed off with a direction to the respondent no.4, the Commissioner, Koshi Division, Saharsa, to take up the Service Appeal No.60/2024 and bring it to its logical conclusion after affording proper opportunity of hearing to all the stakeholders, preferably within a period of eight weeks’ from the date of receipt/production of a copy of this order.

**(Harish Kumar, J)**

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