

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16541 of 2013

=====

Randhir Mishra Son of Braj Mohan Mishra Resident of Village- Murreth, P.S.
Jale, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna
3. The District Panchayati Raj, Govt. of Bihar, Patna
4. The Commissioner, Darbhanga Division, Darbhanga
5. The District Magistrate, Darbhanga, Distt.- Darbhanga
6. The District Panchayati Raj Officer, Darbhanga, Distt. Darbhanga
7. The Block Development Officer, Jale, District- Darbhanga
8. The Mukhiya of The Gram Panchayat Raj Murretha, District- Darbhanga
9. The Sarpanch, Gram Kachhahari, Gram Panchayat Raj, Murreth, District- Darbhanga

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad, Advocate
For the Respondent/s : Mr. Dinbandhu Singh, Advocate
Mr. Ravi Kumar, GP 13
Mr. Akshay Lal Prasad, AC to GP 13

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

- 7 18-12-2025 1. Heard learned counsel for the petitioner and learned
counsel for the respondents.
2. No one appears on behalf of the Sarpanch, Gram
Kachahari, Gram Panchayat Raj, Murreth, District- Darbhanga



(Respondent no. 9) inspite of service of notice.

3. The petitioner has filed the instant application for the following reliefs:

“i) For issuance of an appropriate writ order direction to the Respondents to make Payment of Honorarium of the petitioner from January 2010 till date for the post of Secretary Gram Kachhahari Panchati Raj Murreth as the Honarrarium of period i.e. from 01.01.2010 to till date has not been paid without any reasion though fund has maid available to the Gram Panchayati concerned for its payment.

II) For issuance of an appropriate writ order direction that non-payment of the Honrrarium of the petitioner for the aforesaid period inspite of the Guide line given by Commissioner, Darbhanga Division, Darbhanga, and the positive Direction of the B.D.O. Jale is nothing but a illegal Act of the Surpanch of the Gram Kachhahari, Gram Panchayati Raj Murreth for which he is personally liable to be proceeded with in accordance with Law.

III) For issuance of an appropriate writ, order direction granting any other relief of reliefs for which the petitioner is found entitle.”

4. It is the case of the petitioner that he was appointed on the post of Secretary, Gram Kachahari, Gram Panchayat Raj,



Murreth on 25.1.2008, the letter of appointment having been brought on record as Annexure-1 to the writ application. Learned counsel for the petitioner submits that inspite of the petitioner working on the said post, he has not been paid the honorarium due and payable and as such he has filed the instant writ application for a direction to the respondents to pay the same from 1.1.2010 till present date.

5. Learned counsel for the respondent District Magistrate, Darbhanga submits that grievance of the petitioner was inquired into by the Block Statistics Supervisor- cum- Incharge, Gram Panchayat Raj Officer, Jale and a report contained in letter no.135 dated 6.6.2013 was submitted stating the fact that the petitioner was found present in the office of the Gram Kachahari but the Sarpanch was not paying the amount of honorarium due and payable to the petitioner. Along with the counter affidavit, the respondents concerned have also brought on record a copy of the letter no. 3718 dated 15.11.2017 written by Block Development Officer, Jale to the Sarpanch directing him to deposit a sum of Rs 1,02,000/ within three days in the Nazarat for payment of the dues of the petitioner for the period ie financial year from 2011-12 to 2015-16.

6. Having heard learned counsel of the parties and



having perused the contents of the petition, the writ application is disposed of with the following directions;

(i) The Sarpanch (Respondent no. 9) shall pay a sum of Rs 1,02,000/ to the petitioner, the amount which after due inquiry was communicated by the Block Development Officer, Jale to the Sarpanch by his letter no. 3718 dated 15.11.2017 as dues of the petitioner from the financial year 2011-12 to 2015-16.

(ii) The petitioner shall submit a detailed representation before the Sarpanch, Gram Kachahari, Gram Panchayat Raj, Murreth, District- Darbhanga (Respondent no.9) within a period of two months.

(iii) With respect to the dues of the honorarium for the remaining period, the Sarpanch shall pay the same within a period of three months from the date of filing of the representation or communicate the reason for its non payment in writing within the aforesaid period.

(iv) In case of the Sarpanch (Respondent no.9) not carry out the directions contained herein he will be liable to pay a cost of Rs. 25,000/ to the petitioner over and above the amount to which the petitioner is found entitled by way of his honorarium.



7. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

Bibhash

U			
---	--	--	--

