

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9357 of 2025

Manjay Kumar Ram Son of Sri Radha Krishna Ram, Resident of village-
Arna, P.O. - Arna, P.S. - Mashrak, District- Saran at Chapra - 841417.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Divisional Commissioner, Saran Division, Chapra.
3. The Collector-cum-District Magistrate, Saran at Chapra.
4. The Deputy Development Commissioner, Saran at Chapra.
5. The Sub-Divisional Magistrate, Marhaura, Saran.
6. The Block Development Officer, Mashrak, Saran.
7. The Mukhiya, Gram Panchayat Raj, Arna, Mashrak, Saran.
8. The Gram Panchayat Supervisor, Mashrakh, Saran.
9. Raju Ram, Son of Rajendra Ram, aged aboutyears, Resident of Village- Chapiya, P.S. Mashrak, District- Saran at Chapra - 841417.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.
For the Respondent/s : Ms. Rashmi Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 19-06-2025

Heard Mr. Jeetendra Narayan, learned Advocate for the petitioner and Ms. Rashmi Ranjan, learned Advocate for the State.

2. The petitioner is aggrieved with the order dated 03.09.2024/06.11.2024 passed by the Collector-cum-District Magistrate in Misc. Case No. 17 of 2018, whereby the Misc. Case preferred by the petitioner came to be rejected and maintained the selection process relating to Vikash Mitra for



Arna Gram Panchayat under Mashrak Block in the district of Saran.

3. This is the second round of litigation, as earlier the petitioner on being aggrieved with the action of the respondents approached this Court in CWJC No. 18828 of 2014 seeking a direction upon the respondents concerned to appoint him as Vikash Mitra at Gram Panchayat Arna, in the Mashrak Block of District Saran. The claim of the petitioner was based on the recommendation made in his favour under letter dated 21.02.2013 issued by the Block Development Officer, Mashrak. It was also contended that the register showing receipt of application, only reflects one application, having been filed in the selection process, which was of the petitioner.

4. Referring to the materials, contention has been raised that there was no other candidate except petitioner and, as such, the Block Development Officer, Mashrak has recommended the name of the petitioner. The Court having considered the submissions advanced by the learned Advocate for the petitioner, disposed off the writ petition with a direction to the District Magistrate, Saran to get an enquiry conducted into the claim of the petitioner with reference to the various recommendations, which he has relied upon. It was also observed that after examining the claim of the petitioner, final decision shall be taken by the



District Magistrate after affording opportunity to the petitioner in the enquiry.

5. Adverting to the aforesaid facts, it is further contended that notwithstanding the specific observation and direction made by this Court, the respondent authorities failed to enquire the matter in right perspective and has gone otherwise to hold the recommendation in favour of the petitioner is forged and fabricated only on account of the fact that there is neither signature of any of the members of the Committee nor the merit list contains forwarding letter number. It is further reiterated that since, against the post of Vikash Mitra, it is only the petitioner, who had submitted his application, the Block Development Officer was left with no option but to recommend his name.

6. Learned Advocate for the State taking this Court through the impugned order has submitted that pursuant to the direction of this Court, a detailed enquiry was conducted at the level of the Sub-Divisional Officer and he vide its letter no. 1590 dated 01.10.2019 submitted its report that the merit list on which the petitioner is placing reliance, *prima facie*, found to be forged. The record of the selection of Vikash Mitra relating to Arna Panchayat disclosed that altogether six candidates were applied for the post of Vikash Mitra and the name of one Raju



Kumar finds at Sl. No. 1 in the merit list and on being found him eligible, he was appointed to the post of Vikash Mitra and there is no other infirmities in the selection. The very appointment of said Raju Kumar is said to be in accordance with the guidelines.

7. Having considered the limited grievance of the petitioner and taking note of the fact that pursuant to the direction of this Court, an enquiry was conducted at the level of the Sub-Divisional Officer wherein an adverse report has been submitted against the petitioner. The very merit list and the recommendation, which is the sheet anchor of the case, based upon which the petitioner is pursuing his remedy is said to be a forged and fabricated document.

8. This Court also finds that the District Magistrate, Saran has considered the submission of the petitioner in detail and returned the finding against him, which is based on record. Hence, this Court does not find any merit in the writ petition. Accordingly, the writ petition stands dismissed.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2025
Transmission Date	NA

