

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10524 of 2025

=====

Kumari Manisha W/o Ramanand Ganesh, R/o Dudri P.O. and Panchayat-
Mangura P.S. and Block- Dighalbank, District- Kishanganj. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department,
Patna.
2. The Principal Secretary, Panchayati Raj Department, Patna.
3. Director, Panchayati Raj Department, Bihar, Patna.
4. The District Magistrate, Kishanganj.
5. The District Panchayati Raj Officer, Kishanganj.
6. The Block Development Officer, Dighalbank, Kishanganj.
7. The Block Panchayati Raj Officer, Dighalbank, Kishanganj.
8. Gram Kachahri Netuapada, Dighalbank, Kishanganj.
9. The Sarpanch, Gram Kachahri Netupada, Dighalbank, Kishanganj.
10. Ms. Nuzhat Perween W/o Akbar Jameeli, R/o Village- Baruan, Post-
Kashibadi, P.S.- Kochadhaman, District- Kishanganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate Mrs. Chitra Dwivedi, Advocate
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP-4

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 10-07-2025

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has filed the present writ petition
seeking issuance of an appropriate writ/order/direction
commanding the respondent authorities to appoint the petitioner
as Gram Katchahry Secretary in Panchayat Netuapada,



Bahadurganj, District Kishanganj, on the ground that she is duly entitled for the said post. A further prayer has been made to issue a direction to the respondent authorities to remove private respondent from the post of Gram Katchahry Secretary, Netuapada, on the ground that she is not entitled to hold the said post as her name appears at serial no. 32 of the merit list.

3. Learned counsel for the petitioner submits that the present matter pertains to the alleged illegal appointment of private respondent no.10 to the post of Gram Katchahry Secretary in Panchayat Netuapada, Bahadurganj, District Kishanganj, Bihar. It is further submitted that the petitioner's case was illegally ignored, and in her place, respondent no.10 was recommended and appointed.

4. Learned counsel for the State raises a preliminary objection and submits that the petitioner has an efficacious statutory remedy of appeal under the ***Bihar Gram Katchahry Secretary (Employment, Service Condition and Duties) Rules, 2014*** (hereinafter referred to as the "Rules, 2014"). It is submitted that Rule 7 of the said Rules, 2014 provides for an appeal before the District Panchayati Raj Officer within 30 days from the date of appointment.

5. After hearing the parties and upon perusal of Rule 7



of the Rules, 2014, this Court finds it appropriate to reproduce the relevant provision herein:

*“7. **Appeal.**- Any appeal, in the matter related to the employment of Secretary Gram Katchahry under these Rules, may be preferred before the concerned District Panchayat Raj Officer within 30 (thirty) from the date of such employment. The District Panchayat Raj Officer shall be competent to take a final decision on the appeal. If no adverse order on the appeal is passed by the District Panchayat Raj Officer within a maximum period of 45 days, the employment shall be kept intact.”*

6. In light of the above provision, it is evident that the petitioner has a statutory remedy of appeal, which he may avail under Rule 7 of the Rules, 2014.

7. Accordingly, the present writ petition stands disposed of with liberty to the petitioner to prefer an appeal before the District Panchayati Raj Officer under Rule 7 of the Rules, 2014. It is made clear that if any delay occurs in filing the appeal, the same shall be condoned, and the appellate authority is directed to consider and dispose of the appeal on merits, in accordance with law.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	11/07/2025
Transmission Date	NA

