

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4742 of 2025

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Sujeet Kumar S/o Premchandra Prasad, Resident of village- Pakhanahiya,
P.O.- Palanwa, P.S.- Palanwa, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Rural Development Department, Govt. of Bihar, Patna.
3. The Commissioner (MGNERGA), Rural Development Department, Govt. of Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari.
5. The LOKPAL (MGNAREGA), East Champaran.
6. The Deputy Development Commissioner, East Champaran, Motihari.
7. The Deputy Development Commissioner-cum-Additional District Programme Coordinator, East Champaran, Motihari.
8. The District Programme Officer (MGNAREGA), East Champaran, Motihari.
9. Annu Jaiswal, Mukhiya Gram Panchayat- Zuwafar, Block - Chauradano, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate
For the Respondent/s : Mr.Government Advocate 03

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 06-07-2026

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

2. Learned counsel for the petitioner submits that the present writ petition has been filed for setting aside the order dated 04.01.2024 passed by the Collector-cum-District Magistrate, East Champaran, Motihari in P.R.S. Case No. 26 of 2023-24, whereby the appeal preferred by the petitioner has been rejected, affirming the order of the Deputy Development



Commissioner, East Champaran, Motihari terminating the services of the petitioner. Learned counsel further submits that the petitioner has also prayed for issuance of an appropriate writ, order or direction commanding the respondent authorities to permit the petitioner to resume and discharge his duties as a Panchayat Rojgar Sewak as the order of termination has been passed without affording the petitioner an adequate opportunity of hearing and without proper consideration of the facts and materials placed on record, thereby violating the principles of natural justice.

3. Learned counsel for the petitioner submits that the petitioner was appointed on contractual basis as a Panchayat Rojgar Sewak in the year 2007 under the Rules framed by the Rural Development Department, Government of Bihar, Patna. He was initially posted at Ujirpur under Samastipur Block and was subsequently transferred to Gram Panchayat Raj, Zuwafar, Block-Chauradano, District-East Champaran, where he continued to discharge his duties. It is submitted that from the year 2007 till April, 2023, no complaint whatsoever was made against him by any competent authority.

4. Learned counsel for the petitioner further submits that respondent no. 9, the Mukhiya of Gram Panchayat



Raj, Zuwafar, lodged a complaint against the petitioner and one P.T.A. Arvind Kumar Vimal alleging several irregularities. One of the allegations was that the petitioner had demanded a sum of Rs.4,000/- from a Labour Supervisor, namely, Ajeet Kumar @ Bholu, for marking the attendance of labourers through WhatsApp messages, and that he had received Rs.2,000/- through his mobile phone. A screenshot of the WhatsApp conversation was annexed with the complaint. It is further submitted that respondent no. 9 did not disclose in the complaint as to who had obtained the WhatsApp screenshots or from whom the said screenshots were received.

5. It is further submitted that the Lokpal (MGNREGA), East Champaran, Motihari, took cognizance of the complaint and referred the matter to the Deputy Development Commissioner, East Champaran, Motihari. Pursuant thereto, the Deputy Development Commissioner called for an explanation from the petitioner. After considering the explanation submitted by the petitioner, the Deputy Development Commissioner passed an order dated 09.08.2023 contained in Memo No. 1916 terminating the services of the petitioner.

6. Learned counsel submits that the petitioner



challenged the said order before the Collector-cum-District Magistrate, East Champaran, Motihari in P.R.S. Case No. 26 of 2023-24. However, the appellate authority dismissed the appeal holding that no interference with the order of the Deputy Development Commissioner was warranted.

7. Learned counsel for the petitioner further submits that the findings recorded by the Enquiry Committee recommending termination are arbitrary, without proper application of mind, and have been arrived at by ignoring the relevant facts and circumstances of the case. It is also submitted that the petitioner had earlier approached this Court by filing CWJC No. 13876 of 2023, which was dismissed as withdrawn. Thereafter, the present writ petition has been filed.

8. Learned counsel for the State, on the other hand, submits that there are concurrent findings of fact recorded by both the disciplinary authority and the appellate authority. It is submitted that the allegation regarding demand and acceptance of Rs.4,000/- as illegal gratification for making false attendance of labourers has been found to be proved on the basis of documentary evidence, including the mobile phone records. Although the allegations relating to selection of schemes and execution of work through machines (JCB) were not found



established, the allegation regarding non-installation of the notice board at the work site was found to be proved. It is, therefore, submitted that in view of the concurrent findings of fact, no interference is called for in exercise of the writ jurisdiction of this Court.

9. Upon perusal of the records, particularly the extract of the mobile phone, i.e. "भोलू फोन उठाइए और पैसा भेजिए की आज जिला से हाजरी बनवा दे ताकि भुगतान हो सके। ऐसा करने से विश्वास घटता है।" this Court finds that the documentary evidence placed on record indicates the transfer of Rs.4,000/- to the petitioner. The said material has been duly considered by both the disciplinary authority as well as the appellate authority while recording their findings.

10. In light of the submissions advanced and upon consideration of the materials available on record, this Court finds that both the original authority as well as the appellate authority have duly considered the defence of the petitioner and have concurrently held that the petitioner demanded and accepted Rs.4,000/- as illegal gratification for extending an official favour. The findings are supported by documentary evidence, including the mobile phone records, and no procedural illegality or perversity in the decision-making process has been demonstrated so as to warrant interference



under Article 226 of the Constitution of India.

11. Accordingly, this Court is not inclined to interfere with the impugned orders. The writ petition is, therefore, dismissed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	08/07/2026
Transmission Date	NA

