

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4576 of 2026

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Sobha Kumari wife of Abhya Kumar Singh, Resident of Village-Renua, Gram Panchayat at Raj Pakwaliya recently changed as Pratappur Gram Panchayat, P.S. Hussainganj, Block-Hussainganj, P.O. and District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
2. The Director, Panchayat Raj, Rural Development Department, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Sub-Divisional Officer, Siwan.
5. The Block Development Officer, Hussainganj Block, District-Siwan.
6. The Sarpanch, Gram Panchayat Raj Pakwaliya, Hussainganj, Siwan.
7. Susri Shruti Singh, D/o Harish Chandra Singh, Resident of Village-Renua, Gram Panchayat Raj Pakwaliya, Block-Hussainganj, P.O. and District-Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate
For the Respondent/s : Mr. Standing Counsel (08)

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 31-03-2026

Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following relief (s) :-

*“1. (A) To quash an order dated 27.01.2025
passed by the District Magistrate, Siwan, in
Miscellaneous Appeal Case No.47/2011-12
(Sobha Kumari Versus The Sub-Divisional
Officer, Siwan and others) whereby and where
under the order contained in Memo No.344 (Mu)
dated 23.08.2011 passed by the Sub-divisional*



Officer, Siwan, has been affirmed and, accordingly, the Appeal filed by the Petitioner as aforementioned has been rejected.

(B) Further, to quash an order contained in Memo No.344 (Mu) dated 23.08.2011 passed by the Sub-Divisional Officer, Siwan whereby and where under appointment of the Petitioner has been cancelled and, further, the Sarpanch, Gram Panchayat Raj Pakwaliya is directed to appoint Respondent No.7 i.e. Susri Shruti Singh in place of the petitioner.

(C) Further, to direct the respondents to reinstate the Petitioner to the Post of Gram Katchhari Secretary in Pakwaliya Gram Panchayat, Hussainganj, where the Petitioner was working as Gram Katchahari Secretary since 11.01. 2008.

(D) Further to direct the respondents to Pay the consequential relief to the Petitioner w.e.f. the date of removal i.e. 23.08.2011 till the date of joining to the said post.

(E) Any other relief or reliefs as your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. The relevant facts in brief are that the respondents proceeded for appointment on the post of *Gram Katchhari* Secretary in *Gram Panchayat Raj* Pakwaliya, Hussainganj in the District of Siwan, the petitioner being eligible in all respects filed her application along with two others. The Selection Committee headed by the *Sarpanch* of the *Gram*



Katchhari prepared a merit list, a copy of which has been brought on record as Annexure P/2 to the petition.

4. On perusal of the same, it would transpire that while the name of the respondent no.7 figured at serial no.1 having obtained 65.44%, the name of one Aarti Kumari figured at serial no.2, who was shown to have obtained 60.42%. The name of the petitioner figured at serial no.3 and she was shown to have obtained 51.88%.

5. Inspite of the respondent no.7 having figured at serial no.1 in the merit list, the petitioner came to be appointed which lead to the respondent no.7 challenging the petitioner's appointment before the respondent authorities.

6. The Sub-Divisional Officer, Siwan Sadar was pleased to set aside the appointment of the petitioner by his order dated 23.8.2011 and the appeal preferred by the petitioner vide Miscellaneous Appeal Case no. 47/2011-12 came to be rejected by the Collector, Siwan by his order dated 27.1.2025.

7. The petitioner by way of the instant writ application has challenged the order dated 23.8.2011 of the S.D.O, Siwan Sadar as also the order dated 27.1.2025 of the Collector, Siwan.



8. It is submitted by learned counsel for the petitioner that subsequent to the merit list having been prepared, some complaints were received and the authority concerned having considered the same, came to appoint the petitioner. It is not disputed that the name of the petitioner figured at serial no.3 of the merit list.

9. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires from the perusal of the order dated 23.8.2011 of the S.D.O., Siwan Sadar that there were allegations of procedural irregularities which had lead to the appointment of the petitioner inspite of her name figuring at serial no.3. Taking into account that the name of the respondent no.7 was at the top of the merit list figuring at serial no.1, the appointment of the petitioner was set aside and it was directed that the respondent no.7 be appointed as the *Gram Katchhari* Secretary. The order impugned dated 23.8.2011 states that from the materials provided by the parties it transpires that the person at top of the list in the panel was not appointed, instead a person whose name figured at serial no.3 in the list was appointed.

10. Further so far as the order dated 27.1.2025 of the Collector, Siwan rejecting the appeal is concerned, it takes



note of the fact of the petitioner having been appointed as a *Gram Katchhari* Secretary inspite of her name figuring at serial no.3 in the merit list. The order further states that except for one day i.e., 31.3.2022, the petitioner has been absent from hearing right from 22.4.2021 till the passing of the order. Not having been able to show anything on merits and the position of the respondent no.7 undisputedly being at serial no.1, the appeal preferred by the petitioner was rejected by order dated 27.1.2025.

11. In view of the facts and circumstances of the case, the Court finds no illegality in the order impugned dated 23.8.2011 passed by the S.D.O, Siwan nor in the order dated 27.1.2025 passed by the Collector, Siwan.

12. The Court finds no merit in the instant application and the same is dismissed.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	01.04.2026
Transmission Date	

