

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6615 of 2026

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Rakesh Kumar Sinha Son of Late Uday Shankar Prasad, Resident of Village-
Suggi, Police Station -Jamui, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Additional Chief Secretary, Panchayati Raj Department, Govt. of Bihar,
Patna.
3. Collector cum District Magistrate, Jamui.
4. District Panchayati Raj Officer, Jamui.
5. Block Development Officer, Khaira, Jamui.
6. Gram Kachahari, Banpur Panchayat, Block Khaira, District - Jamui through
its Gram Kachari Secretary.
7. Sarpanch, Gram Kachari, Banpur Panchayat, Khaira, Jamui.
8. Manoj Kumar, Son of Saroj Singh, Resident of Village- Changodih, Police
Station- Khaira, District Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the State : Mr. Venkatesh Kirti (JC to GA-2)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“I. That by the present application the
petitioner invoking extra ordinary jurisdiction
of this Hon’ble Court, prays for issuance of
writ or writs in the nature of mandamus
directing the respondents to apparent the
petitioner as Nyay Mitra as basis of contract
at Banpur Panchayat Kaddim within the
Khaira Anchal, District- Jamui who is eligible*



for appointment notice No. 1420 dated 23.01.2025 issued by Panchayat Raj Department, Bihar Government and removed the private respondent who was appointed by the respondent authority private respondent is out sider and his name was not mentioned in first merit list. Private respondent name is added in IInd list first time and appoint the private respondent illegally.”

3. Learned counsel for the State raised preliminary objection and submits that the present matter is relating to appointment of Nyaya Mitra and for the purpose of appointment of Nyaya Mitra, there is a special rule framed in exercise of the powers conferred under section 94(1) read with section 146 of the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006), namely, Bihar Gram Katchahry Nyaya Mitra (Employment, Service Conditions and Duties) Rules, 2007.

4. In response thereof, counsel for the petitioner submits that the complaint relating to employment of Nyaya Mitra has to be made before the Sub-Divisional Magistrate within 30 days. But, unfortunately, it has been made before the Collector. Counsel submits that liberty may be granted to the petitioner so that he may file complaint under the said authority.

5. This Court upon hearing the parties is of the view



that Rule 12 of the Bihar Gram Katchahry Nyaya Mitra (Employment, Service Conditions and Duties) Rules, 2007 talks about complaint which reads as under:-

“12. Complaint.- Any complaint regarding employment of Nyaya Mitra of Gram Katchahry on contract basis may be filed before the concerned Sub-Divisional Magistrate within 30 (thirty) days of such employment under these Rules, Sub-Divisional Magistrate concerned shall be competent to take decision on the complaint received. Sub-Divisional Magistrate concerned shall give his decision on the complaint received not later than 30 days.”

6. This Court hereby directs the petitioner to avail the remedy before the appropriate authority under Rule 12 of the Bihar Gram Katchahry Nyaya Mitra (Employment, Service Conditions and Duties) Rules, 2007, within 30 days from today.

7. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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