

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7049 of 2025

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Samarjeet Kumar, Son of Sri Kant Thakur, resident of Village- Berua, P.S. Gaighat, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Sub-Divisional Officer, East Muzaffarpur.
5. The District Panchayati Raj Officer, Muzaffarpur.
6. The Block Panchayati Raj Officer, Sakara, District- Muzaffarpur.
7. The Block Development Officer, Sakara, District- Muzaffarpur.
8. The Sarpanch Gram Panchayat, Sarmastpur, Sarmastpur, Block- Sakara, District- Muzaffarpur.
9. The Up Sarpanch Gram Panchayat, Sarmastpur, Block-Sakra, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate Mr. Pradhan Murlimanohar Pd. Adv. Mr. Shubham Samrat, Advocate
For the Respondent/s	:	Mr. Standing Counsel (21)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-03-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed for the following reliefs:-

(i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of CERTIORARI for quashing the final merit list prepared for empanelment to



the post of Gram Katchahary Secretary Gram Panchayat Raj, Muzaffarpur Sarmastpur, Block- Sakra, District-Samastipur pursuant to employment Notice No.826 issued from the office of respondent No.2 whereby and whereunder application form of the petitioner pertaining to empanelment to the post in question has been rejected vide serial No.123 of the final merit list.

(ii) To direct the District Magistrate, Muzaffarpur (Hereinafter referred to as respondent No.3) to enquire into the matter of irregularity committed in preparation of final merit empanelment to the post of Gram Katchahary Secretary for the concerned Panchayat.

(iii) To direct the respondent No.6 to 8 to stay the empanelment process to the post of Gram Katchahary Secretary concerned Gram Panchayat pursuant to employment notice No.826 dated 15.01.2025 until publication of fresh final merit list.

(iv) To any other reliefs to which the petitioner may be found entitled in the facts and circumstances of the case.

3. Learned counsel for the State raised preliminary objection and submits that for the appointment of Panchayat



Secretary, a special rule has been framed, namely, the Bihar Gram Panchayat (Appointment of Secretary, Rights and Duties) Rules, 2011, framed under the Bihar Panchayati Raj Act, 2006. Counsel further submits that the petitioner has not availed the said remedy and moved directly before this Court.

4. In light of the submissions made above, the present writ petition stands disposed of with liberty to the petitioner to avail the remedy under the Bihar Gram Panchayat (Appointment of Secretary, Rights and Duties) Rules, 2011, framed under the Bihar Panchayati Raj Act, 2006, within 30 days from today.

(Dr. Anshuman, J.)

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