

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7384 of 2025

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Kaushal Kumar Dubey Son of Lalta Prasad Dubey Resident of 28B/104
Allapur Allahabad Police Station George Town, District-Allahabad, (U.P).

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Special Work Officer, Panchayati Raj Department, Government of Bihar, Patna.
4. The Deputy Development Commissioner- Cum-Executive Officer, Zila Parishad, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nirmal Kumar, Advocate
For the State	:	Mr. Asif Kalim (AC to AAG-12)
For the Resp. no.4	:	Mr. Vijay Shankar Upadhyay, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-04-2026 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the Zila Parishad,

Buxar.

2. The present writ petition has been filed for issuance
of a writ in the nature of certiorari for the following relief/s:-

*“I. For quashing the order dated 04.02.2025
by which the representation of the petitioner
has been rejected on the ground that the
petitioner has not worked with effect from
01.03.2023 to 05.12.2023 on the basis of ‘No
Work No Pay’ and hence the representation of
the petitioner has been rejected in light of the*



order passed by the Hon'ble High Court passed in C.W.J.C. No. 15105 of 2024 by which a direction was issued by the Hon'ble High Court that the petitioner will file fresh representation before the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna within 30 days from today stating all his grievances and he shall pass an order on the representation within 90 days thereafter. If the petitioner has found eligible for payment then the payment be made within the said period and if not, the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna will pass a reasoned and speaking order in this matter.

II. Further for issuance of a writ/writs directing the respondents not to interfere with the due salary of the petitioner when the petitioner has worked and all his work with absentee for the period 01.03.2023 and October, 2023 to 05.12.2023 has been sent through e-mail to the respondents from time to time.

III. Further for any other relief/reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the



petitioner had moved earlier before this Court in C.W.J.C. No. 15105 of 2024 which was disposed off *vide* order dated 07.10.2024 directing the petitioner to file a fresh representation before the Additional Chief Secretary, Panchayati Raj Department, Bihar, Patna within 30 days stating all his grievances, who shall pass order on petitioner's representation within 90 days thereafter. Counsel submits that in compliance of the direction made by this Court, the Panchayati Raj Department, Government of Bihar has passed order dated 04.02.2025 contained in Memo No. 2043, but the petitioner is not satisfied with the said order and therefore, filed the present writ petition. Counsel further submits that by the said order dated 04.02.2025 contained in Memo No. 2043, the Panchayati Raj Department, Government of Bihar has denied any work done by the petitioner. Counsel submits that the petitioner has ample proof of having worked during the said period and has annexed those documents substantiating the same.

4. Learned counsel for the State, on the other hand, submits that the order dated 04.02.2025 contained in Memo No. 2043 passed by the Panchayati Raj Department, Government of Bihar is a reasoned order and each and every aspect has been discussed in the said order that the petitioner has not worked



during the relevant period.

5. It is a unique situation before the Court in which respondent authorities are claiming that the petitioner has not worked but, on the other hand, petitioner is claiming that he has worked and he has documentary proof also.

6. In the light of contradictory pleadings and the documents, this Court hereby directs the petitioner to file a title suit before the competent civil court within 30 days from today. The petitioner shall be at liberty to produce all the documents by making all the concerned as party and the competent civil court shall ascertain that whether the petitioner has worked during the relevant period or not. The competent civil court is directed to dispose of the title suit upon filing, as early as possible.

7. Accordingly, this writ petition stands disposed off.

(Dr. Anshuman, J)

Divyansh/-

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