

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14290 of 2025

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Sitaram S/o Arvind Kumar Singh, R/o Mohalla- Ward No. 23, Bodhnagar, Barahiya, P.S. Barahiya, District- Lakhisarai, Bihar. At present residing at Village- Indupur, P.S. Barhiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Panchayati Raj Department, Government of Bihar, P.S. Sachivalay, District- Patna.
2. The Secretary, Panchayati Raj Department, Government of Bihar, P.S. Sachivalay, District- Patna.
3. The Director, Panchayati Raj Department, Bihar, P.S. Sachivalay, District- Patna.
4. The Special Work Officer (Vishesh Kaarya Padhdhikari), Panchayati Raj Department, Bihar, P.S. Sachivalay, District- Patna.
5. The District Magistrate, Lakhisarai, P.S. Lakhisarai, District- Lakhisarai.
6. The District Public Relation Officer, Lakhisarai, P.S. Lakhisarai, District- Lakhisarai.
7. The District Panchayati Raj Officer, Lakhisarai, P.S. Lakhisarai, District- Lakhisarai.
8. The Block Development Officer, Pipariya, P.S. Pipariya, District- Lakhisarai.
9. The Nyaya-Mitra Selection Unit Walipur (Olipur) Panchayat through its Chairman, P.S.- Pipariya, District- Lakhisarai.
10. The Sarpanch, Walipur (Olipur) Panchayat through its Chairman, P.S.- Pipariya, District- Lakhisarai.
11. The Secretary Gram Kutchary-cum-Member Secretary, Nyaya-Mitra Selection Unit Walipur (Olipur) Panchayat, P.S.- Pipariya, District- Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anand Raj, Adv.
For the Respondent/s : Mr.Ranjeet Kumar, AC to SC23

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 30-03-2026 Heard learned counsel for the petitioner and learned

counsel for the State.

2. Counsel for the petitioner submits that the present



I.A. No.1 of 2025 has been filed for amendment in the writ petition by adding a prayer for challenging the order dated 19.08.2025 as contained as Annexure-P/14 in the I.A. petition.

3. Counsel submits that during pendency of the writ petition, one person has been appointed as Nyaya Mitra, therefore, it is necessary to brought on record the subsequent development and also challenge the said letter.

4. Counsel for the State raised preliminary objection and submits that in exercise of power conferred under Section 146 read with section 94(2) of the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006), a rule has been framed relating to appointment, service conditions and duties of Nyaya Mitra and submits that the petitioner without availing his remedy under the said rule, has directly come before this Hon'ble Court. Therefore, he submits that instead of passing any order on I.A./writ petition, petitioner may be directed to avail his remedy firstly under the said rule framed for Nyaya Mitra and then only, come before this Hon'ble Court.

5. After hearing the parties, it transpires to this Court that in exercise of power under Section 146 read with Section 94(2) of the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006) a rule namely, Bihar Gram Katchahry Nyaya Mitra



(Employment, Service Conditions & Duties) Rules, 2007 has been notified whose Rules 12 & 13 states as follows:-

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 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.

13. Appeal.- Any appeal against the decision of Sub-Divisional Magistrate may be filed before the District Magistrate concerned within thirty days from taking such decision, hearing of which shall be made by District Magistrate or an officer equivalent to the rank of Additional District Magistrate authorised by him. Order shall be passed after the hearing is completed.

6. It is very much clear upon bare reading of these two rules that any complaint regarding employment of Nyaya Mitra of Gram Katchahry on contract basis may be filed before the concerned Sub-Divisional Magistrate within 30 days of such employment under these rules.

7. In this background, this Court, without passing any order on I.A. No.1 of 2025, hereby disposed off the present writ petition granting liberty to the petitioner to avail remedy under



the said rule, namely, Bihar Gram Katchahry Nyaya Mitra (employment, service condition & duties) Rule 2007 within 30 days from the date of production of this order.

8. It is hereby directed to the concerned Sub-Divisional Magistrate to not reject claim of the petitioner on technical ground that it has not been filed within 30 days, rather he shall pass order on merit after hearing all the concerned.

9. With the aforesaid directions and observations, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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