

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.32 of 2025

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Sona Kumari W/o Late Vidya Bhushan Singh Resident of Village-Sarthua
P.O.-Tope, Police Station-Sahjanpur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The District Panchayati Rajya Officer, Patna.
4. The Block Development Officer, Bakhtiyarpur, Patna.
5. The Block Development Officer, Fathua, Patna.
6. The Block Development Officer, Maner, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate Mr. Sanjeeb Kr. Sanju, Adv. Mr. Bhaskar Sandilya, Adv. Mr. Ravi Kumar, Adv.
For the Respondent/s	:	Mr. Standing Counsel (9)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

9 10-03-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

(i) For issuance of proper writ/writs, direction/directions, order/orders for payment of due salary for the period 24.01.2006 to 27.01.2009 while the husband of the petitioner was posted as Panchayat Secretary at Bakhtiyarpur Block; for payment of due salary from 28.02.2009 to 26.12.2012 while the husband of petitioner was posted as Panchayat Secretary Block Fathua, Patna and also for payment of due salary from 15.07.2014 to 18.12.2019 while



the husband of petitioner was posted as Panchayat Secretary, Block- Bakhtiyarpur, Patna with granting annual increment and benefits of First and Second Assured Career Progression Scheme with statutory and penal interest.

3. Learned counsel for the petitioner submits that the petitioner's husband was posted as Panchayat Secretary, Block Fathua, District-Patna. Counsel further submits that during his service, the petitioner's husband was put under suspension and subsequently the departmental proceeding was dropped after revoking the suspension and granting censure as punishment, save and except this, no other departmental proceeding was ever initiated against the husband of the petitioner. Counsel further submits that the petitioner's husband continuously served for 24 years within Patna district, but he was not paid his salary with effect from 28.02.2009 to 26.12.2012, when he was put under suspension, and he was paid only subsistence allowance till the date 17.12.2012. Counsel further submits that a departmental proceeding was brought against the petitioner's husband and he was transferred from Pali Block to Bakhtiyarpur Block, where he worked as Panchayat Secretary till 18.12.2019, and due to non-availability of L.P.C., the salary of the petitioner's husband was not paid. Counsel further submits that the Office of the



Block Development Officer, Bakhtiyarpur, vide Memo No. 517 dated 06.05.2015, asked the petitioner's husband to submit the Service Book and L.P.C. from the previous place of posting.

4. It has been further submitted that the petitioner's husband was further transferred from Bakhtiyarpur Block to Maner Block, where he joined on 19.12.2019, however, he unfortunately died in harness on 13.05.2022. Counsel further submits that after the death of the petitioner's husband, she filed a representation before the B.D.O., Maner, Patna for making payment of his due salary, but no action took place. Counsel further submits that she further filed a representation on 22.11.2022, but nothing happened. Counsel further submits that the petitioner filed a complaint under the Bihar Government Servant Grievance Redressal System, but till date the payment has not been made.

5. Learned counsel for the State, on the other hand, submits that from the counter-affidavit it has been intimated that there is a break in the service. Counsel further submits that a copy of the service book is attached to the counter-affidavit.

6. In response thereto, counsel for the petitioner submits that with regard to the said alleged break, at no stage was any notice or information communicated to the petitioner's



husband, it was only after his death, when the petitioner filed a representation and thereafter in the counter-affidavit, the said break was mentioned.

7. It transpires to this Court that the copy of the service book, which is in the form of a photocopy, is not readable. As such, this Court hereby directs the District Magistrate, Patna (respondent No.2) to pass a fresh reasoned order, considering the original service book, within 90 days from the date of production of this order, along with a copy of the representation filed by the petitioner.

8. It is made clear that the other relevant records are also within the territorial jurisdiction of the District Magistrate, Patna. Since the petitioner's husband retired from the territorial jurisdiction of the District Magistrate, Patna, the order shall be passed with reasons, without any delay.

9. Accordingly, in view of the above directions and observations, the present writ petition stands disposed of.

(Dr. Anshuman, J.)

Aman Kumar/-

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