

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.559 of 2015

In

Civil Writ Jurisdiction Case No. 16458 of 2013

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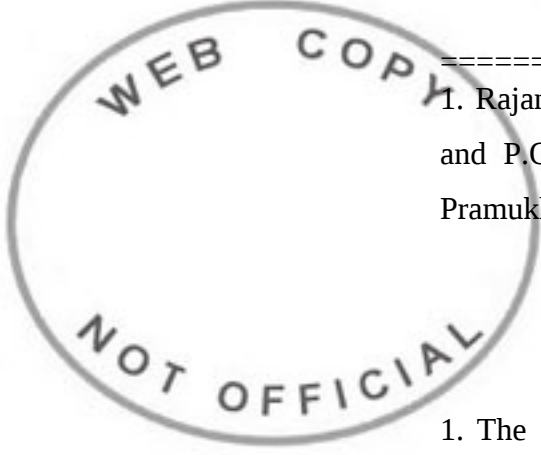
1. Rajani Kant Yadav son of Sri Ram Awatar Yadav, resident of Village and P.O. - Parshurampur, P.S. Parsauni, District - Sitamarhi, presently Pramukh of Block Panchayat Samiti, Parsauni, District - Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna
3. The Director, Panchayati Raj Department, Government of Bihar, Patna
4. The District Magistrate, Sitamarhi, District - Sitamarhi
5. The Sub - Divisional Officer, Belsand, District - Sitamarhi.
6. The Block Development Officer, Parsauni - cum - Executive Officer , Block Panchayat Samiti, Parsauni, District - Sitamarhi.
7. Sri Chandra Kishore Sahani, son of not known to the petitioner, presently Up - Pramukh of Block Panchayat Samiti, Parsauni, P.O. & P.S. Parsauni, District - Sitamarhi
8. Md. Mannan, son of not known to the petitioner.
9. Jagdish Sah, son of Late Daroga Sah
10. Manju Devi, wife of Vikash Kumar.
11. Umesh Mahto, son of Raj Mangal Mahto.
12. Ram Janam Paswan, son of Jagdeo Paswan.
13. Kalaj Kumari, wife of Ashok Chaudhary.
14. Renu Devi, wife of Ram Babu Rai
15. Renu Devi, wife of Radhey Shyam Chaudhary. Respondent nos.8 to 15 are the Members of the Block Panchayat Samiti, Parsauni through the Block Development Officer - cum - Executive Officer, Block Panchayat Samiti, Parsauni, P.O. & P.S. Parsauni, District - Sitamarhi.

.... Respondent/s



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Appearance :

For the Appellant/s : Mr. Anita Kumari

For the Respondent/s : Mr. Gp15- Sharad Kumar Sinha

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 28-04-2015

The petitioner was elected as Pramukh of

Parsauni Panchayat Samiti in the district of Sitamarhi.

A notice, signed by more than 1/3 members was issued with a request to convene the meeting to take up no confidence motion against the appellant. Acting on that the Executive Officer initiated steps. At that stage the appellant filed C.W.J.C. No. 16458 of 2013. During the pendency of the writ petition, the no confidence motion was passed on 30. 08.2013. The writ petition came up for hearing on 27.01.2015. The learned Single Judge dismissed the writ petition. Hence this appeal.

Heard learned counsel for the appellant and learned counsel for the respondents.

The writ petition was filed much before the meeting was held for taking up no confidence motion. For one reason or the other no interim order was passed or obtained. The result was that the no confidence motion was carried out. The

appellant filed interlocutory application challenging the very result of no confidence motion. Even that was not acceded to, and the learned Single Judge felt that nothing remains to be decided in the writ petition and the writ petition was dismissed. We are in full agreement with the learned Single Judge. Even if there was any defect in the procedure in convening the meeting, nothing can be done at this stage. The appeal is dismissed.

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

M.Rahman/-

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