

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4661 of 2014

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1. Dev Narayan Chaudhary Son of Late Majab Lal Chaudhary Resident of
Bela, P.S. Babubarhi, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Panchayati Raj Government
of Bihar.
3. The District Magistrate, Madhubani.
4. The District Panchayat Raj Officer, Madhubani
5. The Panchayat Mukhia, Panchayat Raj Bela, P.S. Babubarhi District
Madhubani
6. The Panchayat Secretary Both of them Panchayat Bela, P.S.
Babubarhi, District Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Kaushal Kr.Jha, AAG-14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 27-04-2015

Heard learned counsel for the parties.

The petitioner an Up-Mukhiya of Gram Panchayat Raj, Bela in the District of Madhubani has questioned the no confidence motion passed against him on 17.2.2014 and the sole ground for the challenge is that the statutory provisions underlying Section 18(4)(ii) which casts obligation on the Mukhiya to fix the date of special meeting within seven days of its receipt has not been followed and since in the present case the requisition is dated 25.1.2014 though by interpolation it reads as 2.2.2014 but the meeting was convened on 7.2.2014 and in which the no confidence motion has been passed.

Learned counsel for the State submits that despite complaining of infirmities, the petitioner contested the motion on 17.2.2014 and has lost the battle. He submits that by participation in the meeting and contesting the allegations, the petitioner has waived his right.

Having heard learned counsel for the parties and considering that the petitioner has participated in the special meeting held on 17.2.2014 and after contesting the allegations has lost the motion, I am not persuaded to interfere with the result of the special meeting. The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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