

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6519 of 2014

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1. Dhruv Narayan Manjhi, Son of Sri Rudal Manjhi, Resident of Village and P.O.- Yadupatti, P.S. Pupri, District- Sitamarhi

.... Petitioner/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, Pupri, District- Sitamarhi
6. The Block Development Officer, Choraut-Cum-Executive Officer, Block Panchayat Samiti, Choraut, District- Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Adv.
For the Respondent/s : Mr. Dr. Anshuman, SC-14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 18-05-2015 Heard Mr. S.B.K. Manglam, learned counsel for the petitioner and learned counsel for the State.

The only issue raised in this writ petition is that holding of an election under Rule 87(1) of the Bihar Panchayat Election Rules, 2006 (hereinafter referred to as ‘the Rules’) to elect a Pramukh, is to be governed as per the provision of Section 46(4) of the Bihar Panchayat Raj Act, 2006 (hereinafter referred to as ‘the Act’).

The petitioner perhaps has mixed up in two different exercise carried out by the Panchayat namely holding of a special/general meeting under Section 46(4) of ‘the Act’ and hold

of election for a Pramukh under rule 87(1) of ‘the Rules’. Whereas the meeting so to be held under Section 46(4) of ‘the Act’ is with the purpose of transacting business of the Panchayat, on the other hand the election notified to elect the Pramukh under Rule 87(1) is in the nature of internal election to be guided by the date so notified by the statutory authorities.

No cause for interference is made out. This writ petition is disposed of.

Bibhash/-

(Jyoti Saran, J)

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