

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19803 of 2013

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1. Rajnish Kumar Tuddu S/O Yashin Tudu Resident of Village Bardala,
P.S- Dhamdaha, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Principal Secretary to the Government, Department of Panchayati Raj, Government of Bihar, Patna.
3. Divisional Commissioner, Purnea Division, Purnea.
4. The Director of Panchayati Raj, Government of Bihar, Patna.
5. The District Magistrate- Cum-Collector, Purnea.
6. The District Panchayat Raj Officer, Purnea.
7. The Sub- Divisional Officer, Dhamdaha, District- Purnea.
8. The Panchayat Samiti, Dhamdaha Block through its Executive Officer District- Purnea.
9. The Block Development Officer, Dhamdaha- Cum- Executive Officer, Panchayat Samiti, Dhamdaha.
10. The Pramukh, Panchayat Samiti, Dhamdaha.
11. Smt. Sunita Devi W/O Pramukh Panchayat Samiti, Dhamdaha.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy, Adv.

For the Respondent/s : Mr. Ajay, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 07-09-2015 Heard learned counsel for the parties.

It is the grievance of the petitioner who happens to be the Member of the Panchayat Samiti, Dhamdaha in the district of Purnea that the authorities under the Panchayat Raj Act, 2006 (hereinafter referred to as 'the Act') have not taken the special meeting held on 12.8.2013 for consideration of the no confidence motion brought by the petitioner along with 23 other elected members to non-suit the Pramukh i.e. respondent No.11 to its

logical conclusion. The proceedings of the special meeting has been impugned at Annexure-1 and manifests that only 17 out of 36 members were present in the special meeting which did not constitute majority of the elected members for passing the motion in 36 members' Panchayat.

It is in these circumstances that the motion was dropped and which decision of the Panchayat Samiti suffers from no infirmity warranting any interference.

The writ petition is disposed of.

(Jyoti Saran, J)

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