

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7598 of 2014

=====

1. Bibha Kumari wife of Sri Surendra Kumar Resident of village - Bishunpur Saraiya, P.O. and P.S. Deoria Kothi, District - Muzaffarpur, presently Mukhiya of Gram Panchayat Raj, Bishunpur Saraiya, District - Muzaffarpur.

.... 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 Assistant Director, Panchayati Raj Department, Government of Bihar, Patna.
5. The Joint Director, Anushravan, Panchayati Raj Department, Government of Bihar, Patna.
6. The District Magistrate, Muzaffarpur, District - Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Adv.
For the Respondent/s : Mr. Binita Singh, GP-31

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-05-2015 Mr. S.B.K. Mangalam, learned counsel for the petitioner even while questioning the initiation of proceedings for removal of the petitioner who is the sitting Mukhiya under Section 18(5) of the Bihar Panchayat Raj Act, 2006 (hereinafter referred to as 'the Act') admits that the matter has not reached its logical conclusion and is pending for final disposal at the level of the Principal Secretary, Panchayat Raj Department, Government of Bihar. He submits that the allegations set out against the petitioner pertains to her previous tenure as a Mukhiya which ended in the year 2011

and in so far as the present tenure is concerned, there is no allegation on any count which would warrant her removal under Section 18(5) of 'the Act'.

These are issues which require consideration by the Principal Secretary and since the matter is yet pending before him, all that this Court would do is to dispose of the matter with liberty to the petitioner to raise all issues as raised herein before the Principal Secretary during the course of hearing of the proceedings so pending before him.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

Bibhash/-

U			
---	--	--	--