

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16655 of 2015

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Ashok Kumar son of late Gopichandra Ray R/o- vill-Semera, P.O. Kataharia, Block & P.S. Kalyanpur, district East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Panchayati Raj, Bihar, Patna.
2. The District Panchayati Raj Officer East Champaran, Motihari
3. The Block Development Officer Kalyanpur, East Champaran
4. Smt. Rani Devi (Pramukh), wife of Sri Dharamdev Hazara resident of village Bhusoulba, P.S. Block Kalyanpur, District East Champaran.
5. Smt. Mala Devi(Up-Pramukh) wife of Sri Nandlal Prasad R/o- Village Chapra Vishwanth, P.S. & Block Kalyanpur District East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Adv.

For the Respondent/s : Mr. J.S. Barnwal- GA5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-10-2015 Heard Mr. Ram Shankar Das learned counsel for the petitioner and learned counsel for the state.

The petitioner is aggrieved by the rejection of a motion. The requisition was moved against the Pramukh and Up-Pramukh on 23.8.2015 and which requisition has been rejected by the Executive Officer inter alia with reference to the provisions underlying Section 44(3)(ii) of the Bihar Panchayat Raj Act, 2006 as it stands amended and according whereeto, no no confidence motion can be brought against the Pramukh or Up-Pramukh within first 2 years of the tenure. The petitioner himself has mentioned in the writ petition that the Pramukh and Up-Pramukh were

appointed on 26.10.2013 and thus it is confirmed that the requisition was moved prior to the expiry of 2 years on 23.8.2015.

In that view of the matter, no infirmity can be found in the opinion of the Block Development Officer-cum-Executive Officer requiring interference.

The writ petition is disposed of.

(Jyoti Saran, J)

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