

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15088 of 2013

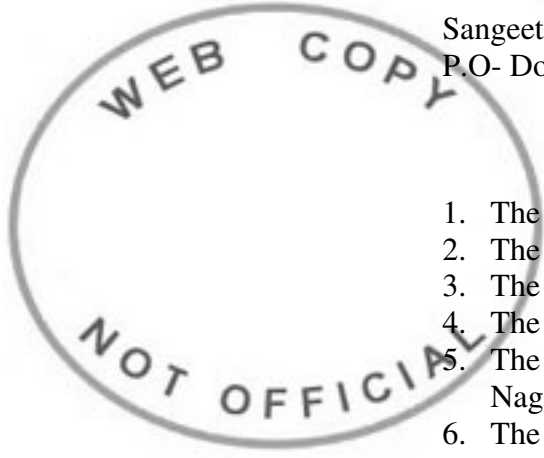
=====

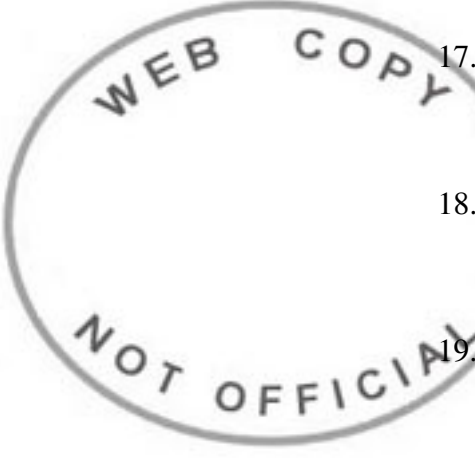
Sangeeta Devi S/O Shri Ram Shreshtha Nirala, resident of village- Dorwar,
P.O- Dorwar, P.S- Jay Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Madhubani.
3. The District Panchayat Raj Officer, Madhubani.
4. The Sub-Divisional Officer, District- Madhubani.
5. The Executive Officer-cum-Block Development Officer, Block-Jay Nagar, District- Madhubani.
6. The State Election Commission, represented through its Secretary, State Election Commission, Bihar, Sone Bhawan, 3rd Veer Chand Patel, Patha, Patna- 800001.
7. Shri Nathuni Yadav, Up- Pramukh S/O Late Bhunar Yadav, resident of Village- Belhi Purwari Tol, P.O- Parwa, P.S- Jay Nagar, District- Madhubani.
8. Smt. Mamta Singh W/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, represented through the Executive Officer- Cum- Block Development Officer, Jay Nagar, Madhubani.
9. Smt. Yamuna Devi W/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, represented through the Executive Officer- cum- Block Development Officer, Jay Nagar, Madhubani.
10. Smt. Sarita Devi W/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, represented through the Executive Officer- cum- Block Development Officer, Jay Nagar, Madhubani.
11. Smt. Rampari W/O not known to the petitioner, members of Panchayat Samiti- Jay Nagar, District- Madhubani, represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
12. Smt. Ramsati Devi W/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through the Executive Officer- Cum- Block Development Officer, Jay Nagar, Madhubani.
13. Smt. Geeta Devi W/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, Represented Through The Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
14. Smt. Draupadi Devi W/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, represented through the Executive Officer-cum-Block Development Officer, Jay Nagar, Madhubani.
15. Smt. Sumitra Devi W/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through The Executive Officer- Cum- Block Development Officer, Jay Nagar, Madhubani.



- 
16. Smt. Hazra Khatoon W/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through The Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 17. Shri Anil Kumar Singh S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through The Executive Officer-cum-Block Development Officer, Jay Nagar, Madhubani.
 18. Shri Rajesh Kumar Jha S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 19. Shri Hanhraj Mukhiya S/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, Represented Through The Executive Officer- Cum- Block Development Officer, Jay Nagar, Madhubani.
 20. Shri Ramdeo Paswan S/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, represented through The Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 21. Shri Kishore Gupta S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 22. Md. Shamim Sheikh S/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 23. Shri Manoj Kumar S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 24. Shri Umesh Thakur S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District-Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 25. Shri Pramod Mandal S/O not known to the petitioner, Members of Panchayat Samiti- Jay Nagar, District- Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.
 26. Shri Pradeep Yadav S/O not known to the petitioner, Members of Panchayat Samiti-Jay Nagar, District- Madhubani, Represented through the Executive Officer-cum- Block Development Officer, Jay Nagar, Madhubani.

.... Respondent/s

=====

Appearance:

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate

For the Respondent/s : Mr. Syed Shah Shabbar Hussain, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

6 09-01-2015 Heard Mr. Shri Prakash Srivastava, learned counsel appearing on behalf of the petitioner, learned counsel for the State, Mr. Vishwanath Prasad Sinha, learned senior counsel appearing on behalf of the private respondents and learned counsel for the State Election Commission.

The petitioner, Pramukh of Panchayat Samiti-Jay Nagar, District-Madhubani has sought to question the 'no confidence motion' passed against her on 29.7.2013 as suffering from statutory violations but the records manifest that the petitioner herself has taken a chance and has participated in the special meeting which has resulted in her ouster.

The petitioner having participated in the special meeting in which the no confidence motion was passed against her, she cannot now turn back to question the same on statutory violations.

The issue raised stands squarely covered in the judgment of this Court reported in **2010(1) PLJR 929 (Smt. Shamshad Khatoon vs. The State of Bihar & Ors.)**.

The writ petition is accordingly dismissed.

(Jyoti Saran, J)

S.Sb/-

U			
---	--	--	--