

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16458 of 2013

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Rajani Kant Yadav, son of Sri Ram Awatar Yadav, resident of Village and P.O.- Parshurampur, P.S. Parsauni, District- Sitamarhi, presently Pramukh of Block Panchayat Samiti, Parsauni, 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, Belsand, District- Sitamarhi.
6. The Block Development Officer, Parsauni -cum- Executive Officer, Block Panchayat Samiti, Parsauni, District- Sitamarhi.
7. Sri Chandra Kishore Sahani, son of not known to the petitioner, presently Up-Pramukh of Block Panchayat Samiti, Parsauni, P.O. & P.S. Parsauni, District- Sitamarhi.
8. Md. Mannan, son of not known to the petitioner.
9. Jagdish Sah, son of Late Daroga Sah.
10. Manju Devi, wife of Vikash Kumar.
11. Umesh Mahto, son of Raj Mangal Mahto.
12. Ram Janam Paswan, son of Jagdeo Paswan.
13. Kalaj Kumari, wife of Ashok Chaudhary.
14. Renu Devi, wife of Ram Babu Rai.
15. Renu Devi, wife of Radhey Shyam Chaudhary.

Respondent nos.8 to 15 are the Members of the Block Panchayat Samiti, Parsauni through the Block Development Officer - cum- Executive Officer, Block Panchayat Samiti, Parsauni, P.O. & P.S. Parsauni, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.B.K. Manglam
For the Respondent-State : Mr. S.S. Shabbar Hussain, GP-4
For the private Respondents : Mr. Amrit Abhijat

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 27-01-2015 Although this writ petition is listed for admission but with the consent of the parties it has been taken up with a view to its final disposal at this stage itself.

Heard Mr. S.B.K. Manglam, learned counsel

appearing on behalf of the petitioner, learned counsel for the State and Mr. Amrit Abhijhat, learned counsel appearing for the private respondents.

The petitioner is a Pramukh of Panchayat Samiti, Parsauni in the district of Sitamarhi and has questioned the initiation of proceedings culminating in the **no confidence motion** which has ultimately been passed against the petitioner on 30.8.2013.

Although the initiation of proceedings was sought to be questioned by the petitioner on grounds of infraction of lawful procedure provided under section 44 (3) of the Bihar Panchayat Raj Act, 2006 but while the matter remained pending the **no confidence motion** has been passed against the petitioner on 30.8.2013 and in which the petitioner stands unsuited. The proceedings of **no confidence motion** have not been questioned by the petitioner.

I have heard learned counsel for the parties and I have perused the materials on record and I do not find any infirmity in the proceedings to interfere with the same.

The writ petition is dismissed.

(Jyoti Saran, J)

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