

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4156 of 2014

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1. Satyendra Kumar Rai Son of Braj Kishore Rai Resident of Village - Chak Salim, P.O. Patori, P.S. Patori, District Samastipur

.... 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, Samastipur, District - Samastipur
 5. The Sub-Divisional Officer, Samastipur, District - Samastipur
 6. The Block Development Officer, Patori-Cum-Executive Officer, Block Panchayat Samiti, Patori, District - Samastipur
 7. Smt. Sindhu Kumari Wife of not known to the Petitioner Presently Pramukh of Block Panchayat Samiti, Patori, P.O. AND P.S. Patori, District - Samastipur
 8. Sri Gaya Sah Son of not known to the Petitioner
 9. Sri Surendra Sah Son of not known to the Petitioner
 10. Sri Abhimanyu Prasad Rai Son of Not Known To The Petitioner
 11. Smt. Urmila Devi Wife of not known to the Petitioner
 12. Smt. Jeeva Wife of not known to the petitioner
 13. Sri Amarnath Rai Son of Not Known To The Petitioner
 14. Sri Asharfi Rai Son of Not Known To The Petitioner
 15. Smt. Sulochana Devi Wife Of Not Known To The Petitioner
 16. Smt. Aarti Devi Wife of Not Known To the Petitioner
 17. Smt. Nutan Devi Wife of Not Known To the Petitioner
 18. Md. Iftekhar Ahmad Son of not known to the petitioner
 19. Smt. Indu Devi wife of not known to the petitioner
 20. Smt. Pinki Devi wife of not known to the petitioner
 21. Sri Dinesh Kumar Manjhi son of not known to the petitioner
 22. Smt. Fulkumari Devi Wife of not known to the Petitioner
 23. Sri Binod Kumar Rajak wife of not known to the petitioner
 24. Smt. Pratima Devi wife of not known to the petitioner
 25. Smt. Khairu Nisha wife of not known to the petitioner
 26. Smt. Shanti Devi wife of not known to the petitioner
 27. Sri Ganga Bishun Rai son of not known to the petitioner
 28. Smt. Sita Devi wife of not known to the petitioner
- Respondent Nos. 8 to 28 are the members of the Block Panchayat Samiti, Patori through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Patori, P.O. AND P.S. Patori, District - Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Adv.

For the Respondent/s : Mr. Subhash Prasad Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

2 30-03-2015 Heard Mr. S.B.K. Mangalam, learned counsel for the petitioner and Mr. Indeshwari Prasad, A.C. to AAG 7 for the State.

The petitioner while questioning the no confidence motion passed against him has challenged the notice dated 30.1.2014 placed at Annexure-2 inter alia on grounds that it is in violation of Section 44(3)(V) of the Bihar Panchayat Raj Act, 2006. The no confidence motion moved and passed against the petitioner has been placed on record at Annexure-3 and which manifests that the petitioner has participated in the no confidence motion moved against him and has lost after contesting the allegations on its merits.

In view of the law laid down in the case of **Smt. Shamshad Vs. The State of Bihar & Ors.** reported in **2010(1) PLJR 929**, the petitioner having participated and contested the allegations in the special meeting, he has waived his right to question the motion on the technicalities and infirmities in the notice. No case for indulgence is made out.

The writ petition is dismissed.

Bibhash/-

(Jyoti Saran, J)

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