

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8768 of 2013

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Sunita Devi W/O Sri Anirudh Choudhary R/O Village- Kachalpur, P.S.-
Chandi, District- Nalanda, Chairman Of Zila Parishad, Nalanda

.... Petitioner

Versus

1. The State Of Bihar, Through The Chief Secretary Government Of Bihar, Patna
 2. The Principal Secretary, Panchayati Raj, Government Of Bihar, Patna
 3. The District Magistrate, Nalanda At Biharsharif
 4. The Chief Executive Officer-Cum-Deputy Development Commissioner, Nalanda At Biharsharif
 5. The District Engineer, Zila Parishad, Nalanda Respondents
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Appearance :

For the Petitioner/s : Mr. Devendra Pd.Singh, Advocate

For the Respondent/s : Mr. Nivedita Nirvikar, GP 3.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 31-07-2015

The petitioner prays for quashing of order contained in Letter no. 33 dated 2.4.2013, passed by the Chief Executive Officer-Cum-Deputy Development Commissioner, Nalanda At Biharsharif (respondent no.4). He has further prayed for directing respondent no.4 to act in accordance with provisions of the Bihar Gram Panchayat Act, 2006.

The petitioner submits that she intends to file Interlocutory Application bringing on record Letter no. 33 dated 2.4.2013 which has been withdrawn. She states that she was to add some more ancillary prayers in view of second relief i.e. for a direction to respondent no.4 to act in accordance with provisions of the Bihar Gram Panchayat Act, 2006.

Counsel for the Zila Parishad, Nalanda submits that as the said letter has been withdrawn, the relief so sought for by the petitioner has become infructuous.

In my view, if respondent no.4 is not acting in terms of provisions of aforesaid Act, the petitioner is at liberty to approach The Principal Secretary, Panchayati Raj, Government Of Bihar, Patna (respondent no.2).

In case, a representation is filed by the petitioner before respondent no.2, the latter would duly consider the same and issue necessary direction also keeping in view directions contained in order dated 6.3.2013, passed in C.W.J.C.No. 6065 of 2012 (Neema Kumari Vs. State and others).

The writ petition stands disposed of.

(Samarendra Pratap Singh, J)

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