

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14441 of 2013

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1. Smt. Manju Jaiswal Wife Of Ajay Kumar Resident Of Village + P.O. +
P.S. Mahnar, Ward No. 12, Nagar Panchayat, District- Vaishali At Hajipur
..... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Urban Department And Housing
Board, Bihar, Patna- 1
3. The District Magistrate Vaishali At Hajipur
4. The D.D.C. Cum Chief Executive Officer, District Board, Vaishali At
Hajipur
5. The Sub Divisional Officer, Mahnar Cum The Executive Officer, Nagar
Panchayat, Mahnar, Vaishali At Hajipur
6. The Junior Engineer Nagar Panchayat, Mahnar, District- Vaishali At
Hajipur
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh
For the Respondent/s : Mr. Gyan Prakash Ojha, G.P. -22
Mr. Sanjeev Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 16-03-2016 Heard the Counsel for the petitioner, the State and the
respondent nos. 5 and 6.

Indisputably, the petitioner ceased to function as Ward
Councillor/Ward Member of Nagar Panchayat, Mahnar in the
district of Vaishali at Hajipur. The writ application was filed when
he was officiating as such for a direction to hold an enquiry by the
competent officer against the colourable exercise of power by the
members constituting the Empowered Standing Committee of the
Nagar Panchayat.

If the Empowered Standing Committee has acted contrary

to the provisions of the Act or illegally, the petitioner ought to have taken steps for removal of the members constituting the Empowered Standing Committee in accordance with the provisions under the Bihar Municipal Act, 2007.

The application raises a grievance with regard to the selection of sites for installing hand pumps. It is not a matter where this Court, in exercise of writ jurisdiction, could grant relief to the petitioner.

The writ application is disposed of granting liberty to the petitioner to ventilate his grievance before the appropriate authority/forum in accordance with law.

(Kishore Kumar Mandal, J)

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