

## IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.58 of 2014**  
**Arising out of**  
**Civil Writ Jurisdiction Case No. 1546 of 2013**

Vinod Kumar Rai, Son of Sri Devan Rai, Resident of Village- Bahajadi, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur, Ex-Pramukh Of Block Panchayat Samiti, Sahdei Bujurg, District- Vaishali At Hajipur

.... .... Petitioner/ Appellant

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, Vaishali At Hajipur, District- Vaishali At Hajipur
5. The Sub-Divisional Officer, Hajipur, District- Vaishali At Hajipur
6. The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, District- Vaishali At Hajipur
7. Nirmala Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
8. Sunita Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
9. Triveni Singh, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
10. Anil Paswan, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
11. Md. Salim, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
12. Anil Kumar Rai, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
13. Rita Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
14. Milan Rai, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur

15. Shankar Prasad, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
16. Bhuneshwar Sah, Son Of Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
17. Sujata Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
18. Jarina Sabnam, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur
19. Sandhya Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District- Vaishali At Hajipur... Respondents/Respondents
20. Md. Majahar Alam, Son Of Md. Ali Hussain Ansari Resident Of Village And P.O. Nayaganj, P.S. Desari, District- Vaishali At Hajipur, Ex-Up-Pramukh Of Block Panchayat Samiti, Sahdei Bujurg, District- Vaishali At Hajipur

.... .... Petitioner/ Respondent

with

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**Letters Patent Appeal No. 1628 of 2013**  
**Arising out of**  
**Civil Writ Jurisdiction Case No. 15464 of 2013**

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Md. Majahar Alam, Son of Md. Ali Hussain Ansari, Resident Of Village And P.O. Nayaganj, P.S. Desari, District - Vaishali At Hajipur, Ex-Up-Pramukh Of Block Panchayat Samiti, Sahdei Bujurg, District - Vaishali At Hajipur

.... .... Petitioner/Appellant

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, Vaishali At Hajipur, District - Vaishali At Hajipur
5. The Sub-Divisional Officer, Hajipur, District - Vaishali At Hajipur
6. The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, District - Vaishali At Hajipur
7. Nirmala Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur
8. Sunita Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-

Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

9. Triveni Singh, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

10. Anil Paswan, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

11. Md. Salim, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

12. Anil Kumar Rai, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

13. Rita Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

14. Milan Rai, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

15. Shankar Prasad, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

16. Bhuneshwar Sah, Son Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

17. Sujata Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

18. Jarina Sabnam, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur

19. Sandhya Devi, Wife Of Not Known To The Appellant Elected Member Of The Block Panchayat Samiti, Sahdei Bujurg Through The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Sahdei Bujurg, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur ... Respondents/Respondents

20. Vinod Kumar Rai, Son Of Sri Devan Rai Resident Of Village - Bahajadi, P.O. Sahdei Bujurg, P.S. Desari, District - Vaishali At Hajipur, Ex-Pramukh Of Block Panchayat Samiti, Sahdei Bujurg, District - Vaishali At Hajipur

.... .... Petitioner/Respondent

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**Appearance :**  
**(In LPA No. 58 of 2014)**

For the Appellant : Mr. Shashi Bhushan Kumar Mangalam

For the State of Bihar: Mr. Kamlesh Prasad, AC to SC 2

**(In LPA No. 1628 of 2013)**

For the Appellant : Mr. Shashi Bhushan Kumar Mangalam

For the State of Bihar: Mr. Kamlesh Prasad, AC to SC 2

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA**

**and**

**HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)**

**Date: 01-04-2016**

The election to Panchayat Samiti has been announced. The challenge in the present appeals is to the removal of Up-Pramukh. In view of the fact that fresh election has been announced, the issue raised in the present appeals is only academic.

In view thereof, we do not find any reason to examine such issue in the present appeals. The appeals are dismissed as infructuous.

**(Hemant Gupta, J)**

**(Ahsanuddin Amanullah, J)**

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