

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11675 of 2019

Ranjit Kumar Giri Son of Late Rameshwar Giri, aged about 36 years (Male) resident of Village- Piyara Math, P.O.- Bajahiyan, P.S.- Dariyapur Via Sitalpur, District- Saran and is Member of Ward No. 13 of Gram Panchayat Raj, Dariyapur, At and P.O. and P.S.- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, New Secretariat, Patna.
2. The Commissioner, Saran Division, Chapra.
3. The District Magistrate-cum-Collector, Saran at Chapra.
4. The District Panchayati Raj Officer, Saran at Chapra.
5. The Deputy Development Commissioner, Saran at Chapra.
6. The Executive Officer, Panchayat Samittee-cum-Block Development Officer, Dariyapur Block, At and P.O. and P.S.- Dariyapur, District- Saran.
7. The Panchayati Raj Officer, Dariyapur Block, At and P.O. and P.S.- Dariyapur, District- Saran.
8. Mukhiya, Gram Panchayat Raj Dariyapur, At and P.O. and P.S.- Dariyapur, District- Saran.
9. Sri Umesh Chaurasia, the Panchayat Secretary, Gram Panchayat Raj Dariyapur, District- Saran.
10. Sri Ravi Mishra, Labour Enforcement Officer, Dariyapur Block, At and P.O. and P.S.- Dariyapur, District- Saran.
11. Surendra Giri, Son of Dineshwar Giri, resident of Village- Piyara Math, P.O.- Bajahiyan, P.S.- Dariyapur Via Sitalpur, District- Saran at present So called elected Secretary, Ward Implementation and Management Committee, Ward No. 13, Gram Panchayat Raj Dariyapur, At and P.O. and P.S.- Dariyapur, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. M. N. Prabhat, Sr. Advocate
For the State	:	Mr. Ajay, GA 5 and Mr. P. K. Sinha, AC to GA 5

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 26-11-2019



Heard learned counsel for the petitioner and learned GA 5 for the State.

2. The petitioner has moved the Court for the following reliefs:

“(a) To issue a writ of Certiorari for quashing the resolution of election/selection of Ward Implementation and Management Committee, Ward No. 13, Gram Panchayat Raj Dariyapur, if any, (after calling it from the possession of respondents) through which private respondent has said to have been elected/selected on the post of Secretary/Ward Implementation and Management Committee, Ward No. 13, Gram Panchayat Raj Dariyapur, dehors the rules, in wholly illegal and arbitrary manner, without following the procedure prescribed in this regard.

(b) To issue a writ of Mandamus commanding the official respondents to call meeting of the members of Ward no. 13, Gram Panchayat Raj Dariyapur afresh, for election/selection on the post of Secretary of Ward Implementation and Management Committee, Ward no. 13, Gram Panchayat Raj Dariyapur and to elect/select the Secretary amongst the eligible candidates after following the procedure and norms prescribed in law for the said purpose.

(c) To any other relief or relief's for which the petitioner may be found entitled to.”

3. After some arguments, learned counsel for the petitioner submitted that for the said relief, he along with many other persons has filed a representation before the Block Development Officer, Dariyapur, Saran (respondent no. 6), which is still pending.



4. Learned counsel for the State submitted that the matter may be disposed off with a direction to the authority concerned to dispose off the representation of the petitioner. Learned counsel for the petitioner agrees to the same.

5. In view thereof, the writ petition stands disposed off with a direction to the respondent no. 6 to decide the representation filed by the petitioner and others on 21.12.2018, copy of which is Annexure-2 to the writ application, if already not disposed off, expeditiously and latest within a period of two months from the date of production of a copy of this order before him.

(Ahsanuddin Amanullah, J.)

P. Kumar

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