

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5176 of 2020

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Md. Asif, S/o Masudul Haq, R/o Village Baiganabad, P.S. Bihar, District-
Nalanda, at present Dharahara, Police Station - Ben District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Govt. of Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The Panchayati Raj Officer, Nalanda.
4. The Sub-Divisional Officer, Rajgir Anumandal, District Nalanda.
5. The Block Development Officer, Block- Ben, P.S. - Ben, District- Nalanda.
6. The Mukhiya, Gram Panchayat Majara, Block Ben, P.S. - Ben, District-
Nalanda.
7. The Panchayat Secretary, Gram Panchayat Majara, Block - Ben, P.S.- Ben,
District- Nalanda.
8. Rashida Khatoon, Wife of Late Md. Sahid, Ward member, Ward no. 14,
Gram Panchayat Majara, Block Ben, P.S.- Ben, District- Nalanda, Resident
of Village- Dharahara, P.S. Ben, District- Nalanda.
9. Mahendra Kumar, Son of Ganga Prasad Panchayat Secretary, Ward no. 14,
Gram Panchayat Majara, Block Ben, P.S.- Ben, District- Nalanda, Resident
of Village- Inayatpur, P.S. Ben, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan
For the Respondent/s : Mr.Ajay (GA5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-01-2021 Heard Mr. Rajiv Ranjan, learned counsel for the

petitioner and Mr. Ajay, learned Advocate for the State.

The petitioner has sought a direction from this

Court to declare the appointment of Respondent No. 9

as Ward Secretary, Ward No. 14, in Gram Panchayat

Majira, in the district of Nalanda as illegal and for a



further direction to remove him and declare the petitioner to be elected as Ward Secretary.

It appears from the pleadings made in the writ petition that a public representation has been filed before the Block Development Officer, Ben (Respondent No,. 5), in the district of Nalanda for the redressal of the grievances of the petitioner but the same has not yet been responded to.

This Court without going into the merits of the complaint directs that in case the petitioner makes a personal representation before Respondent No. 5 within a period of four weeks intimating the reason as to why the election of Respondent No. 9 be declared invalid, such representation shall be responded to and in case of necessity, Respondent No. 9 shall also be heard and a decision shall be taken within a further period of 12 weeks thereafter.

The decision of the Block Development Officer shall be communicated to the petitioner forthwith.



With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

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