

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9613 of 2020

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Premshila Devi @ Premashila Devi W/o Jitendra Choudhary, R/o Village-Fulwaria P.S.-Chiksaura, District-Nalanda. The Mukhiya Gram Panchayat Raj Korawan, Block-Hista, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Panchayat Raj Department, Bihar, Patna.
3. The District Magistrate-Cum-Collector, Nalanda.
4. The District Panchayat Raj Officer, Nalanda, District-Nalanda.
5. The Sub-Divisional Officer, Hilsa, District-Nalanda.
6. The Block Development Officer, Hilsa, District-Nalanda.
7. Ashok Kumar S/o Chandrika Mahto R/o Village-Damadarpur, Ward No. 07, Gram Panchayat-Korawan P.S.-Hilsa, District-Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Respondent/s : Mr. Kumar Alok, SC-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 29-09-2021 Heard Mr. Pankaj Kumar, learned counsel for the petitioner and Mr. Kumar Alok, learned Standing Counsel-7 for the State.

The petitioner has preferred the present writ application for quashing the enquiry report dated 27-06-2020 (at Annexure-4) by which recommendation for removal of the petitioner from the post of Mukhiya has been made under Section 18(5) of the Bihar Panchayati Raj Act, 2006 (hereinafter referred to as “the Act”) and further for quashing the consequential letter dated 15-07-2020 (at Annexure -5) issued



by the District Magistrate, Nalanda addressed to the Principal Secretary, Panchayat Raj Department, Bihar, Patna for removal of the petitioner under Section 18 (5) of the Act from the post of Mukhiya.

Learned counsel for the State submits that the present writ application has become infructuous inasmuch on the recommendation of the District Magistrate, no final order under Section 18 (5) of the Act for removal of the petitioner from the post of Mukhiya has been passed by respondent no. 2 i.e. Principal Secretary, Panchayat Raj Department, Bihar, Patna and now the tenure of all the Mukhiyas has come to end and fresh election for the post of Mukhiya has already been announced on 24-08-2021 by the competent authority.

In view of the aforesaid submissions, learned counsel for the petitioner seeks permission to withdraw this writ application.

Permission is granted.

The writ application is disposed of as withdrawn.

(Anil Kumar Sinha, J)

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