

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8612 of 2020

=====

Uttam Devi, W/O Chhotan Saw resident of Village- Tarawan, P.S.- Wazirganj,
District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gaya.
3. The Deputy Development Commissioner, Gaya.
4. The District Panchayat Raj Officer, Gaya.
5. The Executive Officer-Cum- Block Development Officer, Wazirganj, Gaya.
6. Fulwa Devi, the Block Pramukh of Wazirganj Block, Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Respondent/s : Mr.Lalit Kishore (Ag)

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 23-03-2021 Heard the learned counsel for the parties.

The petitioner who is a Member of Ward No. 56 in the Wazirganj Block has approached this Court for quashing the decision taken in General Meeting of the Panchayat Samiti under the Chairmanship of the Pramukh of Wazirganj Block on 01.07.2020 as the meeting was held at a venue which was not communicated to some of the members of the concerned Panchayat Samities.



In the aforesaid decision, it has been alleged, there has been a discriminatory treatment to some of the Panchayats whereas the funds to be allotted for implementation of developmental scheme have been given to only two of such Panchayats.

It has been alleged by the petitioner that the benefits have deliberately been kept back from some of the Panchayat Samities and undue benefit has been extended to the others.

There are 49 Panchayat Samities in the Wazirganj Block of Gaya district which is headed by the Block Pramukh.

It has also been urged in the writ petition that the general meeting of the Panchayat Samiti is to be held twice a year for the purposes of distribution of funds of the concerned financial year. The decision is taken after deliberations and discussions amongst the members of the Panchayat Samiti. Only a week before the scheduled date of meeting, the venue had been



changed. There was no communication to some of the members of the Panchayat Samities about the changed venue. Under such circumstances, it has been urged that the decision of the general meeting of the Panchayat Samiti which was held under the Chairmanship of Pramukh of Wazirganj Block on 01.07.2020 is not fit to be allowed to remain on board and be quashed with a direction that another date be fixed and decision be taken.

The learned counsel for the petitioner submits that complaint filed in this regard before the District Magistrate, Gaya as well as the District Panchayat Raj Officer, Gaya did not bear any fruit.

In the aforesaid circumstances, this Court directs that a fresh representation be filed by the petitioner and other grieving Panchayat Samiti Members before the District Magistrate, Gaya within a period of four weeks.

If such fresh representation is filed by the



petitioner and other members of the Panchayat, the District Magistrate would be under an obligation to pass a reasoned order within a period of three months from the date of filing of such representation.

Needless to state that the decision taken in this regard shall be communicated to the petitioner and other representationists.

The writ petition stands disposed off with the aforesaid direction / observation.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

