

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15666 of 2021

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Anju Devi aged about 32 years, gender-Female, W/o Kumar Rajanish
Resident of Village - Lahladpur, P.O. - Mohanpur, P.S. - Gaurichak, District -
Patna at present Chairman of Zila Parishad Advisory Committee, Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Additional Chief Secretary Panchayat Raj Department, Bihar at Patna.
3. The Director, Panchayat Raj Department, Bihar at Patna.
4. The Commissioner, Patna Division, Patna.
5. The District Magistrate, Patna.
6. The Deputy Development Commissioner - Cum - Chief Executive Officer,
Zila Parishad Advisory Committee, Patna.
7. Sri Suharsh Bhagat, then Chief Executive Officer, Zila Parishad, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Abhay Kumar, Adv.
For the State	:	Ms Archana Meenakshee, GP-6
For Respondent No.6	:	Mr. S.K.Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

- 2 18-04-2022 The petitioner, at some point of time, was Chairman of *Zila Parishad, Patna*. In the present writ application filed in September, 2021, she has challenged letter No. 14 dated 27-01-2020, whereby special meeting of *Zila Parishad* was convened for discussion on six items. The letter mentions that the meeting was being convened under the orders of the Chairman of *Zila Parishad*, which post was held by the petitioner. It is the



petitioner's case that she had never asked the Deputy Development Commissioner to convene the meeting. The decisions taken by *Zila Parishad*, in its meeting held on 04-02-2022, which form part of the proceedings of the said meeting, issued vide memo No. 25 dated 05-02-2022, under the signature of Deputy Development Commissioner-cum- Chief Executive Officer, *Zila Parishad*, Patna is also under challenge on the same ground.

2. It is the petitioner's specific case that since meeting was not convened under the orders of the petitioner and it was wrongly indicated in the notice that the same was being convened at the instance of the petitioner, the proceedings of the meeting and the decisions taken in the said meeting are illegal.

3. Learned counsel for the petitioner has argued that immediately after the meeting was convened, the petitioner had approached the Divisional Commissioner, Patna, informing him about the aforesaid illegality committed by the Deputy Development Commissioner in convening the meeting without any order of the petitioner.

4. Fact remains that the petitioner is no more Chairman of *Zila Parishad* after her removal on 19-08-2021 from the said post on the charge of misconduct.



5. Soon after the petitioner's removal from the post on the charge of misconduct, the petitioner has filed the present writ application. The petitioner has not disclosed in the writ petition that she had been removed before filing of the writ petition, which amounts to suppression of material fact. This writ application, in our opinion, lacks *bona fide* and deserves to be dismissed. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

shyambihari/-

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