

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5043 of 2023

Shweta Devi Wife of Sri Bipin Kumar, Resident of Village-Sondiha, P.O. Chutia, P.S. Shambhuganj, District-Banka, Presently Member, Block Panchayat Samiti, Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Director, Panchayati Raj Department, Government of Bihar, Patna.
4. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
5. The District Magistrate, Banka, District-Banka.
6. The District Panchayati Raj Officer, Banka, District-Banka.
7. The Block Development Officer Shambhuganj, District-Banka.
8. The Block Panchayat Raj Officer, Shambhuganj-Cum-Executive Officer, Block Panchayat Samiti, Shambhuganj, District-Banka.
9. Suman Kumar Suman Son of Late Ramjatan Singh Resident of Village and P.O. Mohanpur, P.S. Shambhuganj, District-Banka, Presently Pramukh, Block Panchayat Samiti, Shambhuganj, District-Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Awnish Kumar
For the Respondent/s	:	Mr. Kumar Alok (Sc 7)
	:	Mr. Satgishwar Prasad, Ac to Sc 7

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner submits that the present writ application has been filed seeking a direction upon the respondent No. 2 for disposing of the representation filed by the petitioner under Section 44(4) of the Bihar Panchayat Raj Act, 2006 for removal of the respondent No. 9 (Suman Kumar



Suman) from the post of Pramukh Block Panchayat Samiti/Shambhuganj in the District of Banka on the ground that the respondent No. 9 has not only willfully omitted to perform his function as the Pramukh of the said Block Panchayat Samiti, rather, has also misused his power of Pramukh for his personal and political gain.

Learned counsel for the petitioner submits that for removing the respondent No. 9, he had filed a complaint dated 02.01.2023 (*Annexure 8*) to the writ application before the respondent No. 2 for taking action in accordance with law. It is next submitted that, till date, even notices have not been issued upon respondent No. 9 by the respondent No. 2.

Learned counsel thus submits that the petitioner would be satisfied in the event if a direction is issued upon the respondent No. 2 to dispose of the complaint of the petitioner dated 02.01.2023 within a time frame.

Learned counsel for the State does not object to the prayer made by the learned counsel for the petitioner.

Having heard the learned counsel for the parties, the Courts, without going into the merits of the case, disposes of the writ application with a direction upon the respondent no. 2 to dispose of the complaint dated 02.01.2023 filed by the petitioner



expeditiously, preferably within a period of three months from the date of receipt/production of a copy of this order in accordance with law and after hearing the respondent No. 9.

(Satyavrat Verma, J)

HarshPandey/-

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