

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6241 of 2023

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Anil Kumar Singh S/o Late Faguni Singh, Resident of Village and P.O.-
Khiriaon, P.S. Kachhawan, District Rohtas-821310.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Vikas Bhawan, New Secretariat, Bailey Road, Patna.
2. The Collector, Rohtas at Sasaram.
3. The Sub Divisional Officer, Bikramganj, District-Rohtas.
4. The Executive Officer, Panchayat Samiti-cum-Block Development Officer, Nasriganj, District-Rohtas.
5. The Mukhiya, Khiriaon Gram Panchayat, Block-Nasriganj, District-Rohtas.
6. The Panchayat Secretary, Khiriaon Gram Panchayat, Block-Nasriganj, District-Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Janardan Singh, Advocate

For the Respondent/s : Mr Manish Kumar, GP IV

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE MADHURESH PRASAD)

Date : 29-04-2023

Heard learned counsel for the petitioner and the
respondents.



The petitioner has approached this Court by the instant writ proceedings, in the nature of Public Interest Litigation (for brevity, **PIL**), seeking issuance of directions for holding of a Gram Sabha meeting for completing some pending road (PCC work) and for disclosing the justification for expenditure incurred over the construction of a pond.

The allegations are substantially against the decision of the Mukhiya (05th respondent) which is evident from the annexures enclosed in the writ petition. Some grievances are also raised with regard to execution as also the non-completion of certain works in the Gram Panchayat concerned.,

For proceeding against the Mukhiya for his/her failure to convene meeting of Gram Sabha and for the other issues raised in the instant writ proceedings, remedy lies under the provisions of the Bihar Panchayat Raj Act, 2006 and the Bihar Gram Sabha (Coordination of Meeting and Procedure for Conduct) Rules, 2012. Resort to the instant writ petition by way of PIL, therefore, is misconceived, to say the least. The Mukhiya, has also not been impleaded as party respondent by name, in the instant proceedings.

For the above reasons, this Court is not inclined to entertain the instant writ proceedings as a PIL, but leaving the petitioner's other remedies open.



Writ petition is dismissed, but without expressing any
opinion with regard to the allegations raised by the petitioner.

(K Vinod Chandran, CJ)

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.05.2023
Transmission Date	NA

