

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.990 of 2020

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Dinesh Kumar Gupta, Son of Bhim Saw, Resident of Village- Bhelbinda Tola
Karhara, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Panchayati Raj Department, Bihar, Patna.
3. The District Magistrate, Jamui.
4. The District Panchayati Raj Officer, Jamui.
5. The Block Panchayati Raj officer, Jhajha, Jamui.
6. The Block Development Officer, Jhajha, Jamui.
7. The Mukhiya Gram Panchayat Raj Baijla, P.O.- Baijla, Block and P.S.-
Jhajha, District- Jamui.
8. The panchayat Secretary, Gram Panchayat Raj Baijla, P.O.- Baijla, Block
and P.S.- Jhajha, District- Jamui.
9. The Ward Member Cum Chairmen, Ware No. 15 At and P.O. and Panchayat-
Baijla, Block and P.S.- Jhajha, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.
For the Respondent/s : Ms. Archana Meenakshee, GP-6

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-09-2023

Heard Mr. Rajesh Kumar Sinha, learned counsel
for the petitioner and Ms. Archana Meenakshee, learned
Government Pleader No.6.

2. The petitioner by invoking the prerogative writ
jurisdiction of this Court under Article 226 of the Constitution
of India, seeks quashing of the order as contained in Memo No.
1433 dated 07.12.2019 issued by the Block Development
Officer, Jhajha, whereby the Ward Implementation Committee



of Ward No.15 of Gram Panchayat Raj, Baijla, has been declared illegal, which was constituted with due process and according to the rules.

3. Learned counsel representing the State by referring to the statements made in the counter affidavit submits that for proper implementation and execution of the government programmes/schemes, the State Government has framed 'The Bihar Ward Sabha and Ward Implementation and Management Committee, Conduct of Business Rules, 2017 (for brevity 'the WIMC Rules, 2017). Sub-rule (5) of Rules 16 of the WIMC Rules, 2017, specifically states the tenure of Ward Implementation and Management Committee shall be for two years and, on the strength thereof, she submits that the period of the new Ward Implementation and Management Committee has admittedly come to an end and, as such, the present matter has become infructuous.

4. At this juncture, learned counsel for the petitioner submits that he has no instruction with regard to the constitution and continuance of such Committee.

5. Be that as it may, considering the notification issued by the State Government in the Department of Panchayati Raj as also Sub-rule (5) of the Rules 16 of the



WIMC Rules, 2017, which provides a complete guideline, including the tenure of Ward Implementation and Management Committee, the present writ application has manifestly lost its purpose and thus, it is disposed of.

6. It is needless to observe that if the grievance of the petitioner still subsists, he may have the liberty to approach the concerned respondent(s) by filing fresh application bringing on record the entire matters.

7. If such representation is filed by the petitioner within a period of four weeks, the same shall be considered and disposed of by a reasoned and speaking order in a further twelve weeks thereof.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06-09-2023
Transmission Date	

