

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.966 of 2024

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Rekha Devi @ Rekha Jha Wife of Sanjay Kumar Jha Resident of Village-
Rasiyari Near jagiya Pul Post Rasiyari P.S. Alinagar District-Darbhangha,
Bihar-847427.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, 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 District Magistrate, Darbhanga.
5. The District Panchayati Raj Officer, Darbhanga.
6. The Sub-Divisional Officer, Biraul, Darbhanga.
7. The Executive Officer, Panchayat Samiti Cum Block Development Officer, Kiratpur, Darbhanga.
8. The Deputy Development Commissioner (DDC) Darbhanga.
9. Gauri Shankar Paswan Son of not Known to the Petitioner at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 05), Darbhanga.Members of Panchayat Samiti, Kiratpur, District-Darbhangha.
10. Ladali Pravin Wife of not Known to the Petitioner, at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 03), Darbhanga.Members of Panchayat Samiti, Kiratpur, District-Darbhangha.
11. Badre Alam Ansari Son of not Known to the Petitioner at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 10), Darbhanga. Members of Panchayat Samiti, Kiratpur, District-Darbhangha.
12. Akhtar Ali Son of not Known to the Petitioner at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 08), Darbhanga.Members of Panchayat Samiti, Kiratpur, District-Darbhangha.
13. Azad Khan Son of not Known to the Petitioner at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 09), Darbhanga.Members of Panchayat Samiti, Kiratpur, District-Darbhangha.
14. Ranjeet Yadav Son of not Known to the Petitioner at Present Member Panchayat Samiti, (Panchayat Samiti Kshetra No. 05), Darbhanga. Members of Panchayat Samiti, Kiratpur, District-Darbhangha.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeet Kumar, Advocate
For the Respondent/s	:	Mr. Raghwanand, GA-11
	:	Mr. Rajnesh Shandilya, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 18-01-2024 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the State.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner seeks to avail remedy under Section 157 of the Bihar Panchayat Raj Act, 2006 (hereinafter to be referred as the 'Act') before the District Magistrate, Darbhanga, for the relief(s) as prayed for in the present writ petition.

3. Considering the limited relief(s) as sought for by the petitioners, the District Magistrate, Darbhanga, is directed to call for the records relating to the Panchayat Samiti of concerned Block and fix a date within two days after communication of this order for the attendance of Pramukh, Up-pramukh and all the members of the Panchayat Samiti and seek their signature in his own presence and thereafter, he may fix a date for providing opportunity of hearing to the affected parties and decide the matter considering the charges as contained in the requisition. If he finds that there is violation of manner, as prescribed under Section 44 or Section 46 of the Bihar Panchayat Raj Act, 2006 and same requires interference in any manner with respect to calling of 'No Confidence Motion', which has been fixed on 19.01.2024, the District Magistrate

after providing opportunity of hearing may pass a speaking order strictly in accordance with law.

4. The special meeting dated 19.01.2024 shall lose its operation till final decision is taken by the District Magistrate.

5. As the order has been passed in the open Court, learned counsel for the State has ensured that he will immediately communicate the District Magistrate, Darbhanga, by both the means, fax, as well as, by telephonic communication, even before the order is pronounced.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J.)

Chn/-
Ashishsingh/-

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