

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.878 of 2024

Baijanti Devi Wife of Ram Narayan Paswan, Resident of Village- Jorawarpur,
P.O. Baradih, P.S- Karakat, District- Rohtas.

... .. 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 District Magistrate, Rohtas.
5. The Sub Divisional Officer, Bikramganj, Dist.- Rohtas.
6. The Executive Officer, Panchayat Samiti, Karakat, cum Block Panchayat Raj Officer, Karakat District- Rohtas.
7. The Block Development Officer, Karakat, Dist.- Rohtas.
8. Akbar Hussain Ansari, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
9. Rajmukh Kumar, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
10. Mohit Kumar, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
11. Satish Kumar Singh, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
12. Satyendra Kumar Mishra, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
13. Rajesh Kumar Rai, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
14. Nisha Bharti, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
15. Bindu Kumari, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
16. Sunita Devi, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
17. Sita Devi, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
18. Savita Devi, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
19. Fuljhari Devi, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.
20. Mamta Kumari, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District- Rohtas.



21. Usha Devi, Member of the Panchayat Samiti, Karakat, P.S. Karakat, District-Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai, Advocate
For the Respondent/s : Mr. Sita Ram Yadav, GP- 16

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 16-01-2024

Heard Mr. Amrendra Narayan Rai, learned counsel appearing on behalf of the petitioner and Mr. Sita Ram Yadav, learned GP-16 appearing on behalf of the State.

2. Mr. Amrendra Narayan Rai, 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 concerned for the relief(s) as prayed for in the present writ petition.

3. Considering the limited relief(s) as sought for by the petitioner, the District Magistrate concerned 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 concerned 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)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	16.01.2024
Transmission Date	N/A

