

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.783 of 2024

1. Puja Singh, Wife of Bijayendra Kumar, resident of Bichla Tola, Village-Bandhu Barwa Ramgarhwa, Bandhu Barwa, East Champaran, Pin Code-845433.
2. Md. Tausifur Rehman, son of Muzibur Rahman, Resident of Ward No. 15, Gram Post-Siswaniya, Banjaria, P.O.-Motihari, District-East Champaran, Bihar-845401.
3. Naseema Khatoon, C/o Kamroddin Miya, Resident of Amodei Bishambharakpur, Anchal-Ramgarhwa, District-East Champaran.
4. Nirmala Devi, Wife of Binod Kumar Gupta, Resident of Village-Dhekaha, Ward No. 07, Thana-Kesariya, P.O.-Kesharia, District-East Champaran, Bihar-845424.
5. Sadre Alam, Son of Mir Ali Raja, Resident of Village-Ganeshpur, Post-Rajpur, Keshriya, Rajpur, District-East Champaran, Bihar-845432.

... .. Petitioners

Versus

1. The State of Bihar through Principal Secretary, Department of Gram Panchayat Raj, Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Gram Panchayati Raj, Govt. of Bihar, New Secretariat, Patna.
3. The District Magistrate cum District Election Officer, East Champaran, Motihari.
4. The Deputy Development Commissioner cum Chief Executive Officer, District Board/Zila Parishad, East Champaran, Motihari.
5. The Block Development Officer, Areraj.
6. The Chairman, District Board/Zila Parishad, East Champaran.
7. The Deputy Chairman/Vice Chairman, District Board /Zila Parishad, East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate. Mr. Raj Shekhar, Advocate.
For the Respondent/s	:	Mr. Mandanjeet Kumar, GP-20.
For the Zila Parishad	:	Mr. Sanjay Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 15-01-2024

Heard Mr. Mrigank Mauli, learned senior counsel
along with Mr. Raj Shekhar, learned counsel appearing on



behalf of the petitioner; Mr. Madanjeet Kumar, learned GP-20 for the State and Mr. Sanjay Kumar, learned counsel for the Zila Parishad.

2. Considering the nature of relief as prayed for in the present writ petition, the District Magistrate, East Champaran, Motihari is directed to exercise his jurisdiction under Section 157 of the Gram Panchayat Raj Act, 2006 to verify the requisition and the alleged misdemeanour allegedly by the petitioners, who have denied their signature by calling the records from the Zila Parishad concerned and verify the same by ensuring presence of the petitioners. The Deputy Development Commissioner cum Chief Executive Officer, Zila Parishad, East Champaran, Motihari must ensure to place the records and explain how an action can be taken on forged requisition dated 05.01.2024 on the basis of the allegations contained therein, when the signature of the petitioners on the requisition has been denied by the petitioners.

3. The District Magistrate is directed to give opportunity to the petitioners and all the concerned and after providing opportunity of hearing to the respective parties, must arrive at his own independent finding. In case he finds the signatures to be forged must ensure to take appropriate action



against the government officials, if he finds that anyone of them posted at the Zila Parishad is engaged in mal-practice in connivance with any person or persons involved in forging the signature of the petitioners proceed to take action to lodge an F.I.R. against all the persons involved in the illegal act within three weeks, considering the fact that the development work of the district may not be stopped by any illegality committed.

4. It is made clear that the meeting of ‘no confidence motion’ which has been scheduled to be held today i.e. 15.01.2024 will be subject to the result of the final decision taken by the District Magistrate, East Champaran, Motihari.

5. The District Magistrate may ensure proper functioning of the local bodies within his jurisdiction and this Court finds that he is also responsible for execution of the different schemes which are for the benefit of the citizen at village level and to check and stop illegal activity under his jurisdiction.

6. The writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	15.01.2024
Transmission Date	N.A.

