

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.912 of 2024

Rinku Devi wife of Dinkar Chaudhary, Resident of Village- Singhia Makaanpur, Ward No.- 5, P.S.- Gopalpur, Naugachhiya, District- Bhagalpur, Bihar- 853204.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
3. The Director, Panchayat Raj Department, Government of Bihar, Patna.
4. The District Magistrate, Bhagalpur.
5. The Sub-Divisional Officer, Gopalpur, District- Bhagalpur.
6. The Block Development Officer, Gopalpur- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, District- Bhagalpur.
7. Babumani Yadav, Son of Bharat Yadav the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
8. Mala Devi, Wife of Umesh Singh the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
9. Dhananjay Singh, Son of not known the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
10. Deepak Kumar, Son of Akhileshwar Prasad Sharma the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
11. Manoj Kumar Das, Son of Narayan Ravi Das the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
12. Md. Tetar, Son of Md. Kamruddin the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
13. Dhananjay Kumar, Son of Naresh Yadav the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
14. Manoj Jha, Son of Jai Bhadar Jha the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.
15. Annu Kumari, Wife of Pawan Kumar the member of Block Panchayat



Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.

16. Ragani Devi, Wife of Saket Bihari the member of Block Panchayat Samiti, Gopalpur, through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Gopalpur, P.S.- Gopalpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravi Raj, Advocate.
For the Respondent/s : Mr.Government Advocate 02

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 16-01-2024

Heard the parties.

2. Mr. Ravi Raj, 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, Bhagalpur, 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, Bhagalpur, 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 18.01.2024, the District Magistrate after providing opportunity of hearing may pass a speaking order strictly in accordance with law.

4. The special meeting dated 18.01.2024 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, Bhagalpur, 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)

mantreshwar/-

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

