

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.879 of 2024**

1. Ranjan Kumar Son of Suresh Prasad Yadav, resident of Village - Madarpur, Block and P.S. - Kurhani, District - Muzaffarpur.
2. Nilofar Yasmeen, Wife of Md. Khurshid Alam, resident of Village- Ladaura Pakari, Block and P.S. - Kurhani, District - Muzaffarpur.
3. Asha Devi, Wife of Ramsagar Shah, resident of Jamin Kamtaul, Ward No.- 10, Block and P.S.- Kurhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate -cum- District Election Officer, Muzaffarpur.
3. The District Panchayati Raj Officer, District - Muzaffarpur.
4. The Sub-Divisional Officer, Muzaffarpur (West), District- Muzaffarpur.
5. The Block Development Officer -cum- Executive Officer, Panchayat Samiti, Kurhani, District - Muzaffarpur.
6. The Panchayat Samiti, Kurhani, District- Muzaffarpur through the Pramukh.
7. Sushmita Kumari, Pramukh, Panchayat Samiti, Kurhani, District - Muzaffarpur.
8. Yogendra Kumar, Up-Pramukh, Panchayat Samiti, Kurhani, District - Muzaffarpur.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                       |
|----------------------|---|---------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ujjwal Kumar, Advocate<br>Mr. Jyoti Kumar Sinha, Advocate<br>Mr. Amresh, Advocate |
| For the Respondent/s | : | Mr. Anil Kumar Singh, GP-26                                                           |

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL JUDGMENT**

**Date : 16-01-2024**

Heard Mr. Ujjwal Kumar, learned counsel  
appearing on behalf of the petitioners and Mr. Anil Kumar  
Singh, learned GP-26 appearing on behalf of the State.

2. Mr. Ujjwal Kumar, learned counsel appearing on  
behalf of the petitioners submits that the petitioners seek to avail



remedy under Section 157 of the Bihar Panchayat Raj Act, 2006 (hereinafter to be referred as the 'Act') before the District Magistrate, Muzaffarpur, 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, Muzaffarpur, 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, Muzaffarpur, 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/-

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| AFR/NAFR          | N.A.F.R.   |
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