

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.880 of 2024

Meena Kumari Wife of Ajay Kumar Sharma Resident of Village Kanp Thana
Ruapuli District Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
2. The District Magistrate, Purnea
3. The District Panchayat raj Officer, Purnea District Purnea.
4. The Sub Divisional Officer, Purnea District Purnea.
5. Executive Officer, Rupauli, District-Purnea.
6. The Block Development Officer, Rapauli, District Purnea.
7. Anant Kumar Anand, Member Panchayat Samiti Nathpur Resident of Village-Nathpur P.S. Rupauli, District-Purnea.
8. Raja Kumar, Member Panchayat Samiti Basantpur, Resident of Village-Rupauli, P.S. District-Purnea.
9. Sunil Kumar Member Panchayat Samiti Basar Tikappati Resident of Vilalge-Tikappati P.S. Tikkapatti District-Patna.
10. Md. Minjah Alam . Member Panchayat Samiti Basantpur, Resident of Village-Chapahari, P.S.-Rupauli, District Purnea
11. Ram Prawesh Mahto, Member Panchayat Samiti Goriar West Resident of Vilalge-Shaira Tola Goriar, P.S. Tikkapatti District-Purnia
12. Sanjay Kumar Bhagat, Member Panchayat Samiti Goriar Patti Shri Matta, Resident of Vilalge-Harnah, P.S. Tikkapatti, District-Purnea.
13. Anandi Prasad Choudhary, Member Panchayat Samiti Goriarpur, R/o of Village-Goriar, P.S. Tikkapatti District-Purnea
14. Mithilesh Kumar Sah, Member Panchayat Samiti Laxmipur Girdhar Resident of Village-Bahdura, P.S. Rupauli, District-Purnea.
15. Nirmal Devi, Member Panchayat Samiti Koili Simra East Resident of Village-Simra P.s. Tikkapatti District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amresh, Advocate
		Mr. Ram Pravesh Kumar, Advocate
For the Respondent/s	:	Mr. Rakesh Ambastha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 16-01-2024

Heard Mr. Amresh, learned counsel appearing on



behalf of the petitioners, Mr. Rakesh Ambastha, learned AC to AAG-7 appearing on behalf of the State.

2. Mr. Amresh, 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, Purnea, 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, Purnea, 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, Purnea, 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

