

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.927 of 2024

Phulpato Devi W/o Shivdeyal Ram R/o Village and P.O Umarpur, P.S.- Buxar Industrial Area, District- Buxar presently Pramukh of Block Panchayat Samiti, Buxar Sadar Block, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate, Buxar, District- Buxar.
4. The District Panchayat Raj Officer, Buxar.
5. The Sub-Divisional Officer, Buxar Sadar, Buxar.
6. The Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
7. The Block Panchayat Raj Officer, Buxar Sadar, Buxar.
8. Smt. Chinta Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Kamarpur (W) Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
9. Smt. Shobhna Kumari W/o- Not Known Elected Member, Block Panchayat Samiti, Kamarpur (E), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
10. Upendra Kumar Rai, S/o- Not Known Elected Member, Block Panchayat Samiti, Chhotka Nuaon (W), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
11. Smt. Munni Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Chhotka Nuaon (E), Buxar Sadar through the Block Development Officer-cum-Executive Block Panchayat Samiti, Buxar Sadar. Officer,
12. Sri Dadan Mallah S/o- Not Known Elected Member, Block Panchayat Samiti, Karahansi, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
13. Smt. Rizwana Begum W/o- Not Known Elected Member, Block Panchayat Samiti, Rahasichak, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
14. Smt. Tetri Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Nadawn, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
15. Santosh Kumar Yadav S/o- Not Known Elected Member, Block Panchayat Samiti, Nadawn (N), Buxar Sadar through the Block Development Officer-cum-Executive Officer Block Panchayat Samiti, Buxar Sadar.
16. Smt Arti Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Chhotka Nadawn (S), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.



17. Om Prakash Kamkar S/o- Not Known Elected Member-Up Pramukh, Block Panchayat Samiti, Mahdah, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
18. Jay Kishun Ram S/o- Not Known Elected Member, Block Panchayat Samiti, Boksa (S), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
19. Smt. Nilu Singh W/o- Not Known Elected Member, Block Panchayat Samiti, Boksa (N), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
20. Smt. Lalita Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Jagdishpur (S), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
21. Dharamraj Singh S/o- Not Known Elected Member, Block Panchayat Samiti, Jagdishpur (N), Sadar through Buxar the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
22. Rakesh Kumar Singh S/o- Not Known Elected Member, Block Panchayat Samiti, Churamanpur, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
23. Smt. Rinku Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Arjunpur, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
24. Smt. Rohila Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Khutha, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
25. Smt. Meena Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Sonvarsha, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
26. Smt. Shail Devi W/o- Not Known Elected Member, Block Panchayat Samiti, Dalsagar, Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
27. Krishna Kumar S/o- Not Known Elected Member, Block Panchayat Samiti, Baruna (W), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar.
28. Om Prakash Tiwari S/o- Not Known Elected Member, Block Panchayat Samiti, Baruna (E), Buxar Sadar through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Buxar Sadar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate.
For the Respondent/s : Mr. Raghwanand, GA-11

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 16-01-2024

Heard the parties.



2. Mr. Arvind Kumar Pradhan, 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, Buxar, 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, Buxar, 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 and refixed 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 18.01.2024 & 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, Mr. Raghwanand, learned counsel for the State has ensured that he will immediately communicate the District Magistrate, Buxar, 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.

