

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.925 of 2024

Radhika Devi W/o Sunil Kumar Gupta, R/o Village and P.O. - Rasen Kalan,
P.S. - Rajpur, District - Buxar presently Pramukh of Block Panchayat Samiti,
Rajpur 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, Rajpur.
7. The Block Panchayat Raj Officer, Rajpur, Buxar.
8. Alisher Shah, S/o - Not Known, Elected Member, Block Panchayat Samiti, Barupur (1) Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
9. Manpyari Devi, W/o Shivji Rai (Rajbhar), Elected Member, Block Panchayat Samiti, Barupur (2) Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
10. Anjali Devi, W/o Ravi Shankar Prasad, Elected Member, Block Panchayat Samiti, Mangrawn, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
11. Mansa Devi, W/o - Bharat Prasad Ram, Elected Member, Block Panchayat Samiti, Nagpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
12. Arti Devi, W/o Brejesh Paswan, Elected Member, Block Panchayat Samiti, Khiri (1) Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
13. Bindu Devi, W/o - Manoj Kumar Singh, Elected Member, Block Panchayat Samiti, Khiri (2) Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
14. Phulkumari Devi, W/o Raushan Kumar Rajbhar, Elected Member, Block Panchayat Samiti, Akbarpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
15. Maya Devi, W/o Bihari Rajak, Elected Member, Block Panchayat Samiti, Tiyyara, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
16. Anil Kumar Verma, S/o Not Known, Elected Member, Block Panchayat Samiti, Devadhiya (1), Rajpur Block through the Block Development



Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.

17. Kamlesh Ram, S/o Not Known, Elected Member, Block Panchayat Samiti, Devadhiya (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
18. Chandani Devi, W/o Satendra Kumar Ram, Elected Member, Block Panchayat Samiti, Rajpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
19. Taramuni Devi, W/o Not Known, Elected Member, Block Panchayat Samiti, Hethua, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
20. Ramashish Sah, S/o - Not Known, Elected Member, Block Panchayat Samiti, Harpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
21. Upendra Kumar Pandey, S/o - Not Known, Elected Member, Block Panchayat Samiti, Rasen (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
22. Sandhya Kumari, W/o - Akhilesh Kumar Ram, Elected Member, Block Panchayat Samiti, Banni (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
23. Manti Devi, W/o - Om Prakash Singh, Elected Member, Block Panchayat Samiti, Banni (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
24. Jhabbu Paswan, S/o- Not Known, Elected Member, Block Panchayat Samiti, Kharahana, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
25. Dhanvarti Devi, W/o Baliram, Elected Member, Block Panchayat Samiti, Dhansoi, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
26. Shushila Devi, W/o Binod Kumar Singh, Elected Member, Block Panchayat Samiti, Samhuta (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
27. Munna Kumar Singh, S/o Not Known, Elected Member, Block Panchayat Samiti, Samhuta (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
28. Majidan Khatoon, W/o Sahabuddin Ansari, Elected Member, Block Panchayat Samiti, Matkipur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
29. Manju Devi, W/o Guddu Kumar Kharwar, Elected Member, Block Panchayat Samiti, Dulfa, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
30. Raju Kumar Paswan, S/o Not Known, Elected Member, Block Panchayat Samiti, Kandhharkala (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
31. Binod Kumar Ram, S/o Not Known, Elected Member, Block Panchayat Samiti, Kandhharkala (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.



32. Kashmira Devi, W/o Not Known, Elected Member, Block Panchayat Samiti, Sikathi, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate.
For the State : Mr. Prashant Pratap, GP-2

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 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, Mr. Prashant Pratap, 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.

