

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1304 of 2024

Kumar Sanjeev Singh Son of Sri Ajay Kumar Singh, Resident of village and P.O. Manikpur. P.S. Indrapuri, District Rohtas at Sasaram, presently Pramukh of Block Panchayat Samiti, Dehri, District Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram, District Rohtas at Sasaram.
4. The District Panchayat Raj Officer, Rohtas at Sasaram, District Rohtas at Sasaram.
5. The Sub-Divisional Officer, Dehri, District- Rohtas at Sasaram.
6. The Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Dehri, District Rohtas at Sasaram.
7. The Block Panchayat Raj Officer, Dehri, District Rohtas at Sasaram.
8. Priyanka Devi, wife of not known to the petitioner Presently Up- Pramukh of Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District Rohtas at Sasaram.
9. Manish Kumar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
10. Amrendra Bhaskar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
11. Vishal Kumar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
12. Harendra Kumar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
13. Prabha Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
14. Kusum Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.



15. Paramshila Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
16. Sudhir Ram, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
17. Anjum Ara, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
18. Puja Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
19. Navin Kumar Singh, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
20. Mukesh Kumar Gupta, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
21. Shamsher Singh, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
22. Deomuni Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
23. Avinash Kumar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.
24. Lalita Kumari Gupta, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Dehri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Dehri, P.O. and P.S. Dehri, District - Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K., Manglam, Advocate Mr. Awnish Kumar, Advocate
For the Respondent/s	:	Mr. S.D. Yadav, AAG 9 Mr. B.B. Mishra, AC to AAG 9



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-01-2024 Heard the parties.

2. 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, Rohtas at Sasaram 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, Rohtas at Sasaram 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 23.01.2024, the District Magistrate



after providing opportunity of hearing may pass a speaking order strictly in accordance with law within one week from the date of attendance filed by all the members.

4. The special meeting dated 23.01.2024 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 must ensure to communicate this order forthwith to the District Magistrate as well as, to the Block Development Officer concerned, without waiting for pronouncement of the order.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

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