

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1037 of 2024

Soni Devi Wife of Sri Arun Kumar, resident of village - Majhigama, P.O. -
Pindrauch, P.S. Keoti, District - Darbhanga, presently Pramukh of Block
Panchayat Samiti, Keoti, District- Darbhanga. 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, Darbhanga, District - Darbhanga.
4. The District Panchayat Raj Officer, Darbhanga, District - Darbhanga.
5. The Sub-Divisional Officer, Darbhanga, District - Darbhanga.
6. The Block Development Officer - cum- Executive Officer, Block Panchayat Samiti, Keoti, District - Darbhanga.
7. The Block Panchayat Raj Officer, Keoti, District - Darbhanga.
8. Dharamshila Devi, Wife of not known to the petitioner, Presently Up-
Pramukh of Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District -
Darbhanga.
9. Md. Imran Azam, Son of not known to the petitioner. The elected members
of Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
10. Lalita Devi, Wife of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
11. Ganga Choupal, Son of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
12. Sita Kant Jha, Son of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
13. Gita Devi, Wife of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
14. Kiran Devi, Wife of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
15. Gita Devi, Wife of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,
District - Darbhanga.
16. Kiran Jha, Wife of not known to the petitioner. The elected members of
Block Panchayat Samiti, Keoti through the Block Development Officer-
cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti,

District - Darbhanga.

17. Kanchan Kumari, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
18. Rubi Devi, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
19. Babita Devi, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
20. Kamrulzama @ Hira, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
21. Md. Tabrej Akhtar, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
22. Rashida Khatoon, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
23. Kiran Devi, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
24. Akbari Khatoon, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
25. Md. Mohi, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
26. Shiv Kumar Rai, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
27. Ritu Anal, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
28. Md. Sagir, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-

- cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
29. Sangita Kumari, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 30. Md. Shahbaz Alam, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 31. Azhar Imaam, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 32. Pitambar Yadav, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 33. Wasima Ara, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 34. Jagdir Yadav, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 35. Ramesh Das, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 36. Pankaj Kumar Chaudhary, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 37. Rahana Khatoon, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 38. Shatrudhan Shah, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 39. Jiwachhi Devi, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
 40. Rubi Devi, Wife of not known to the petitioner. The elected members of

Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.

- 41. Satan Kumar, Son of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.
- 42. Sahana, Wife of not known to the petitioner. The elected members of Block Panchayat Samiti, Keoti through the Block Development Officer- cum-Executive Officer, Block Panchayat Samiti, Keoti, P.O. and P.S. Keoti, District - Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Advocate
For the Respondent/s : Mr. S.D.Yadav, Addl. Advocate General 9
: Mr. Braj Bhushan Mishra, AC to AAG-9

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the State.

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, Darbhanga, 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, Darbhanga, 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, Darbhanga, 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.)

Ashishsingh/Chn

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