

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1034 of 2024

Anita Devi Wife of Lakhindra Sahani Resident of Vilalge and P.O. Shahpur Khurd, P.S. Chehra Kala, District-Vaishali at Hajipur, Presently Pramukh of Block Panchayat Samiti, Chehra Kala, District-Vaishali at Hajipur.

... .. 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, Vaishali at Hajipur, District-Vaishali at Hajipur
4. The District Panchayat Raj Officer, Vaishali at Hajipur, District-Vaishali at Hajipur
5. The Sub-Divisional Officer, Mahua, District-Vaishali at Hajipur
6. The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, District-Vaishali at Hajipur.
7. The Block Panchayat Raj Officer, Chehra Kala, District-Vaishali at Hajipur.
8. Tilak Devi Wife of Not Known to the Petitioner, Presently Up-Pramukh of Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
9. Priyanka Rai Wife of not Known to the Petitioner, the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
10. Ganesh Rai Son of Not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
11. Yadunandan Kumar Son of not Known to the Petitioner. the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
12. Sanoj Kumar Son of not Known to the Petitioner, the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
13. Ravi Bhushan Kumar Son of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
14. Pawan Kumar Son of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.

- 15. Rinku Kumari Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 16. Priyanka Kumari Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 17. Rekha Devi Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 18. Sina Mazhar Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 19. Pramod Ram Son of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 20. Anjali Kumari Son of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 21. Veena Devi Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.
- 22. Priyanka Kumari Wife of Not Known to the Petitioner. the Elected Members of Block Panchayat Samiti, Chehra Kala through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Chehra Kala, P.O. and P.S. Chehra Kala, District-Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate
	:	Mr. Awnish Kumar, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7
	:	Mr. Rajeev Kumar Sinha, AC to AAG-7
For the Pvt. Resp.9- 10 & 12-15	:	Mr. Ranjeet Choubey, Advocate
	:	Mr. Bindhachal Raj, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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, Vaishali, 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, Vaishali, 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, Vaishali, 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)

Chn/-
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