

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.990 of 2024

Md. Shamshe Alam S/o Md. Murtuza, Rasulpurkawa, P.S. - Patepur, Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Additional Chief Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The District Majistrate, Vaishali.
4. The District Panchayat Raj Officer, Vaishali.
5. The S.D.O, Mahua, Vaishali.
6. The B.D.O, cum Executive Officer, Block Panchayat, Patepur, Vaishali.
7. Smt. Renudevi, Present Pramukh, Patepur, Vaishali And all the members who have signed on the notice of no confidence, mentioned below.
8. Rambabupaswan, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
9. Krishnanandpathak, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
10. Ram Kailashpawan, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
11. Savita Devi, W/o- not known, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
12. Ganesh Rai, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
13. Dharmendrakumarpaswan, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
14. Md. Muzahir, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
15. Archanadevi, w/o - not known, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
16. Avinashkumarannu, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
17. Arvindrai, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
18. Ram Paridevi, w/o - not known, i The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
19. Shobhakumari, W/o - not known, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.
20. Surendrachaudhary, The members are of Patepur, P.S. Patepur, Vaishali, Bihar have signed on the no confidence motion.



counsel for the petitioner does not deny and he seeks that the petitioner may be given an opportunity to file a detailed application before the concerned District Magistrate. Any meeting will be subject to the result of the final decision taken by the District Magistrate, which has been fixed for 19.01.2024.

5. 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.

6. The special meeting dated 19.01.2024 shall remain



suspended till final decision is taken by the District Magistrate.

7. 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.

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

(Purnendu Singh, J.)

Chn/-
Ashishsingh/-

U			
---	--	--	--

