

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1041 of 2024

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Anamika Bharti Wife of Jay Prakash Narayan, resident of village - Panapur Ariya, P.O. - Ratwara Bindwara, P.S. Aurai, District - Muzaffarpur, presently Pramukh of Block Panchayat Samiti, Aurai, District - Muzaffarpur.

... .. 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, Muzaffarpur, District - Muzaffarpur.
4. The District Panchayat Raj Officer, Muzaffarpur, District - Muzaffarpur.
5. The Sub-Divisional Officer, East Muzaffarpur, District - Muzaffarpur.
6. The Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Aurai, District - Muzaffarpur.
7. The Block Panchayat Raj Officer, Aurai, District - Muzaffarpur.
8. Pappu Kumar Sah, Son of not known to the petitioner, Presently Up-Pramukh of Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
9. Kalpana Kumari, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
10. Shobha Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
11. Shyam Babu Ray, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
12. Raj Kumar Sah, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
13. Shabnaz Ladli, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
14. Veena Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
15. Shashi Kumar, Son of not known to the petitioner, The elected members of



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

16. Afrin Asgar, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
17. Chulbul Ram, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
18. Jagdish Sah, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
19. Dolly Kumari, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
20. Jagannath Kumar, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
21. Md. Sakir Ansari, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
22. Md. Mustaque Alam, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
23. Nilam Kumari, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
24. Shanti Kumari, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
25. Krishna Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
26. Mohammad Anwarul, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.



27. Chinta Kumari, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
28. Sanju Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
29. Jaya Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
30. Arjun Das, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
31. Satya Narayan Chaudhary, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
32. Anita Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
33. Kamlesh Sahni, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
34. Purnima Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
35. Navneet Shahi, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
36. Hajra Khatoon, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
37. Shubhchand Jha, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
38. Mamta Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai,



District - Muzaffarpur.

39. Bela Devi, Wife of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.
40. Murari Rai, Son of not known to the petitioner, The elected members of Block Panchayat Samiti, Aurai through the Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Aurai, P.O. and P.S. Aurai, District - Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. S.B.K. Manglam, Advocate
: Mr. Awnish Kumar, Advocate
For the Respondent/s : Mr. Addl. Advocate General 3

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, Muzaffarpur, 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, Muzaffarpur, 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 20.01.2024, the District Magistrate after providing opportunity of hearing may pass a speaking order strictly in accordance with law.

4. The special meeting dated 20.01.2024 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, Muzaffarpur, 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)

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