

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1156 of 2024

Pinki Kumari Wife of Prem Kumar Sinha, Permanent Resident of Village- Maheshpur, P.S.- Chandi, District- Nalanda, Bihar, at present Nav Bihar Colony, Transport Nagar, Sampatchak, P.S. Sampatchak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna.
4. The District Magistrate, Nalanda.
5. The District Development Commissioner-cum-Executive Officer, Zila Parishad, Nalanda.
6. Ajay Kumar, son of not known to the petitioner, Resident of Village Makhdumpur, P.O. and P.S.- Karaiparsurai, District- Nalanda.
7. Archana Kumari, wife of not known to the petitioner, Resident of Village- Mahadipur, P.O.- Tina, P.S. Nagarnausa, District- Nalanda.
8. Sanjay Kumar, son of not known to the petitioner, Resident of Village- Lohanda, P.O. Dahbigha, P.S. Hilsa, District- Nalanda.
9. Pammi Kumari, wife of not known to the petitioner, Resident of Village- Gondu Bigha, P.O. Gondubigha, P.S. Chiksaura, District- Nalanda.
10. Gayatri Devi, wife of not known to the petitioner, Resident of Village- Injora, P.O. and P.S. Ekangarsarai, District- Nalanda
11. Uma Devi, wife of not known to the petitioner, Resident of Village- Kadilpur, P.O. Narayanpur, P.S. Ekangarsarai, District- Nalanda.
12. Archana Sinha, wife of not known to the petitioner, Resident of Village- Muzaffara, P.O. Bardih, P.S. Islampur, District- Nalanda
13. Tanuja Kumari, wife of not known to the petitioner, Resident of Village- Bishunpur, P.O. Ranipur, P.S. Islampur, District- Nalanda.
14. Anuradha Devi, wife of not known to the petitioner, Resident of Village Panhar, P.O.- Panhar, P.S. Khodaganj, District- Nalanda.
15. Nutan Devi, wife of not known to the petitioner, Resident of Village and P.O. Bhui, P.S. Silao, District- Nalanda.
16. Baby Devi, wife of not known to the petitioner, Resident of Village and P.O. Barakar, P.S. Silao, District- Nalanda.
17. Navita Sinha, wife of not known to the petitioner, Resident of Village and P.O. Dharhora, P.S. Silao, District- Nalanda.
18. Punam Sinha, wife of not known to the petitioner, Resident of Village Chhotki Ant, P.O. Badki Ant, P.S. Ben, District- Nalanda.
19. Priti Devi, wife of not known to the petitioner, Resident of Village Govindpur Beldarari, P.O. Badara, P.S. Nursarai, District- Nalanda.



20. Juli Kumari, wife of not known to the petitioner, Resident of Village- Saidi, P.O. Nursai, P.S. Nursarai, District- Nalanda.
21. Udai Nandan Prasad, son of notknown to the petitioner, Resident of Village and P.O. Dhangawan, P.S. Parwalpur, District- Nalanda.
22. Amit Kumar Raj, son of not known to the petitioner, Resident of Village- Atwal chak, P.O. Madhopur, P.S. Tharthari, District- Nalanda.
23. Niranjan Kumar, son of not known to the petitioner, Resident of Village- Giridharchak, P.O. Sirnama, P.S. Haranut, District- Nalanda.
24. Kamlesh Paswan, son of not known to the petitioner, Resident of Village and P.O. Daytupur, P.S. Chandi, District- Nalanda.
25. Mamta Devi, wife of not known to the petitioner, Resident of Village Ramsang, P.O. Haranuat P.S. Harnaut, District- Nalanda.
26. Tusi Devi, wife of not known to the petitioner, Resident of Village- Bishunpur, P.O. Utarnama, P.S. Rahui, District- Nalanda.
27. Kirti Devi, wife of not known to the petitioner, Resident of Village Nijaai, P.O. Sonsa, P.S. Rahui, District- Nalanda.
28. Bipin Kumar, son of not known to the petitioner, Resident of Village and PO. and P.S. Bind, District- Nalanda.
29. Narottam, son of not known to the petitioner, Resident of Village Kotara, P.O. Gopalbad, P.S. Sarmera, District- Nalanda.
30. Ashok Kumar Singh, son of not known to the petitioner, Resident of Village- Tora, P.O. and P.S. Sarmera, District- Nalanda.
31. Purushottam Kumar Sinha, son of not known to the petitioner, Resident of Village Dayamchak, P.O. Kailapur, P.S. Saare, District- Nalanda.
32. Pankaj Kumar, son of not known to the petitioner, Resident of Village Molna Bigaha, P.O. Onda, P.S. Saare, District Nalanda.
33. Ajay Kumar, son of not known to the petitioner, Resident of Village Fatehpur, P.O. Ugawan, P.S. Asthawan, District- Nalanda.
34. Geeta Devi, wife of not known to the petitioner, Resident of Village and P.O. Nakatpura, P.S. Bihar, District- Nalanda.
35. Mamta Kumari, wife of not known to the petitioner, Resident of Village and P.O. Raitar, P.S. Giriyak, District- Nalanda.
36. Anita Devi, wife of not known to the petitioner, Resident of Village- Tetarwan P.O. Tetarwan, P.S. Manpur, District- Nalanda.
37. Mano Devi, wife of not known to the petitioner, Resident of Village- Keshopur, P.O. Keshorpur, P.S. Hisla, District- Nalanda.
38. Kaushlendra Prasad, son of not known to the petitioner, Resident of Village Maira, P.O. Maira Barit, P.S. Katri Sarai, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Shrivastava, Sr. Advocate
Mr.Hansraj, Advocate
For the Respondent/s : AAG 5



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 19-01-2024

Heard Mr. Amit Shrivastava, learned senior counsel along with Mr. Hansraj, learned counsel for the petitioner and learned AAG 5 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, Nalanda, 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, Nalanda, is directed to call for the records relating to the Zila Parishad, Nalanda, and fix a date within two days after communication of this order for the attendance of Adhyaksh, Up-Adhyaksh and all the members of the Zila Parishad 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 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 27.01.2024, 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 27.01.2024 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, Nalanda 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)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.01.2024
Transmission Date	NA

