

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1537 of 2024

Urmila Devi Wife of Amir Das, R/o village Jalkharia, P.S. Chakai, District - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Additional Chief Secretary, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Director, Panchayati Raj, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Collector-cum-District Magistrate, District - Jamui.
5. The District Panchayat Raj Officer, Jamui.
6. The Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakai, Block - Chakai, District - Jamui.
7. Rinku Kumari Paswan, Wife of Ashok Kumar @ Manoj Paswan, Member, Panchayat Samiti, Darahwa, Block - Chakai, Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
8. Manoj Murmu, Son of not known, Member, Panchayat Samiti, Nauadih, Part - 1, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
9. Sudhir Paswan, Son of not known, Member, Panchayat Samiti, Ramsingh di, Block - Chaikai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
10. Navin Lal Chorey, Son of not known, Member, Panchayat Samiti, Thari, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
11. Ashok Rajak, Son of not known, Member, Panchayat Samiti, Nauadih Shilfari, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
12. Diwakar Choudhary, Son of not known, Member, Panchayat Samiti, Kiyajori, Part- 1, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-



Chakia, District- Jamui.

13. Nasiha Khatoon, Wife of not known, Member, Panchayat Samiti, Ramchandra di, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
14. Navin Chandra, Son of not known Member, Panchayat Samiti, Chandra Mandi, Part - II, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
15. Suryamani Soren, Son of not known Member, Panchayat Samiti, Pojha, Part- I, Block - Chakia, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
16. Chinta Devi, Wife of not Known, Member, Panchayat Samiti, Pojha, Part -II, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
17. Dhanti Devi, Wife of not known, Member, Panchayat Samiti, Bongi, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
18. Rinki Devi, Wife of not known, Member, Panchayati Samiti, Saron, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
19. Malti Devi, Wife of not known, Member, Panchayat Samiti, Madhopur, Block Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
20. Priyanka Devi, Wife of not known, Member, Panchayat Samiti, Chandramandi, Part- I, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
21. Anustha Devi, Wife of not known, Member, Panchayat Samiti, Chakai, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
22. Durga Soren, Son of not known, Member, Panchayat Samiti, Barmoriya, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District-



Jamui.

23. Tara Devi, Wife of not known, Member, Panchayat Samiti, Ghuthwe Panchayat, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
24. Sabina Tudu, Son of not known, Member, Panchayat Samiti, Baamdih Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
25. Janki Das, Wife of not known, Member, Panchayat Samiti, Parachi Panchayat, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
26. Rakesh Thakur, Son of not known, Panchayat Samiti, Chaufala Panchayat, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
27. Anjali Bharti, Wife of not known, Member, Panchayat Samiti, Kalyanpur Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
28. Uday Yadav, Son of not known, Member, Panchayat Samiti, Kiyajori, Part-II Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
29. Manoj Rawat, Son of not known, Member, Panchayat Samiti, Fariytadih Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
30. Sarita Devi, Wife of not known, Member, Panchayat Samiti, Nauwadih Part-II Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
31. Ravindra Sah, Son of not known, Member, Panchayat Samiti, Dilampur Panchayat, Block - Chakai, District- Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.
32. Dayavanti Devi, Wife of not known, Member Panchayat Samiti, Gajahi Part-I Panchayat, Block - Chakai, District - Jamui. Panchayat Samiti member of



the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.

33. Shobha Devi, Wife of not known, Member, Panchayat Samiti, Gajahi Part- II Panchayat, Block - Chakai, District - Jamui. Panchayat Samiti member of the Block Panchayat Samiti, Chakia, through the Block Development Officer cum Executive Officer, Block Panchayat Samiti, Chakia, Block-Chakia, District- Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate
For the Respondent/s : Mr. Standing Counsel 26

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2024 Heard the parties.

2. Mr. Kumar Harshvardhan, learned counsel appearing on behalf of the petitioner submits that matter requires to be adjudicated by the District Magistrate-cum-Collector, Jamui, in exercise of power under Section 157 of the Bihar Panchayat Raj Act, 2006 (hereinafter referred to as the 'Act').

3. Considering the grievance of the petitioner that there is complete violation of procedure prescribed under Section 44 (3)(i) of the Act, it would be in the interest of justice to call upon the members of the Panchayat Samiti, to avoid time in process of issuing notice, this Court finds that the District Magistrate must ensure to inform the Block Development Officer-cum-Executive Officer, concerned, so that all the members may appear before him in person on 27.01.2024.



4. In case of failure by any of the member, the District Magistrate must resort to first enquire, as to whether, he has deliberately avoided to appear before him is for any genuine cause. If it is deliberate, the District Magistrate must ensure to take appropriate action in accordance with law against the concerned member of Panchayat Samiti.

5. The District Magistrate is directed to pass a reasoned order after providing due opportunity of hearing to all the interested parties expeditiously on or before 03.02.2024 without fail.

6. The special meeting dated 29.01.2024 shall lose its operation till final decision is taken by the District Magistrate.

7. Learned counsel for the State may take steps to immediately communicate the District Magistrate, concerned, by both the means, fax as well as, by telephonic communication

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

(Purnendu Singh, J)

Niraj/-

U			
---	--	--	--

