

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1501 of 2024**

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Premkala Singh Wife of Late Ramashray Singh, resident of village- Chakwa,  
Ward No. 11, Block and P.S. - Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Deputy Development Commissioner, Sitamarhi.
3. The District Magistrate, Sitamarhi.
4. The District Panchayati Raj Officer, Sitamarhi.
5. The Sub-Divisional Officer, Sitamarhi.
6. The Block Development Officer, Bathnaha, District - Sitamarhi.
7. The Executive Officer, Panchayat Samiti-cum-Block Development Officer, Block - Bathnaha, District - Sitamarhi.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate  
For the Respondent/s : Mr. Standing Counsel 6

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      25-01-2024                      Heard the parties.

2. Learned counsel appearing on behalf of the petitioner submits that matter requires to be adjudicated by the District Magistrate-cum-Collector, Sitamarhi, 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. Accordingly, the present writ petition is disposed of.

**(Purnendu Singh, J)**

Niraj/-

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