

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1514 of 2024**

Abhishek Kumar Son of Binod Kumar Resident of Village- Kalayanbigha,  
P.S.- Harnaut, District- Nalanda at Biharsharif at present Up-Pramukh  
Harnaut, District- Nalanda at Biharsharif.

... .. 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 District Magistrate, Nalanda at Biharsharif.
4. The District Panchayati Raj Officer, Nalanda at Biharsharif.
5. The Sub-Divisional Officer, Sadar, Nalanda at Biharsharif.
6. The Block Development Officer-cum-Chief Executive Officer, Prakhanda Panchayat Samiti, Harnaut, District- Nalanda at Biharsharif.
7. Rita Devi Wife of Satyendra Kumar Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
8. Rabina Devi Wife of Indrajeet Bind Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
9. Rambaran Singh Son of Badri Singh Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
10. Shrawan Kumar Son of Banwari Sao Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
11. Praveen Shankar Kumar Son of Upendra Prasad Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
12. Laxmi Devi Wife of Nitish Kumar Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
13. Anju Devi Wife of Awadhesh Ravidas Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
14. Gyatri Devi Wife of Rambabu Paswan Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
15. Amarnath Son of Sukhdev Ram Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.



16. Baby Devi Wife of Surendra Kumar Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
17. Rajkishore Das Son of Rambilash Das Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
18. Munni Devi Wife of Mithun Kumar Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
19. Raushan Kumar Son of Jitendra Singh Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
20. Jaimanti Kumari Wife of Rajiv Ranjan Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
21. Shivji Prasad Son of Navdeep Singh Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
22. Pramod Ram Son of Saran Ram Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
23. Suvili Devi Wife of Chandan Paswan Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
24. Nirmala Devi Wife of Late Ram Bhajan Prasad Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
25. Vinita Devi W/O Sujit Kumar Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
26. Rita Devi W/O Late Dharmveer Ram Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
27. Ashutosh Kumar Son of Suresh Singh Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.
28. Rana Shailesh Kumar S/O Ram Nandan Singh Member of Panchayati Samit, Harnaut, District- Nalanda at Biharsharif may be served notice through the Block Development Officer, Harnaut, District- Nalanda at Biharsharif.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate  
For the Responder/s : Mr. Government Pleader 19



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

2      25-01-2024                      Heard the parties.

2. Mr. Ashok Kumar Jha, learned counsel appearing on behalf of the petitioner submits that matter requires to be adjudicated by the District Magistrate-cum-Collector, Nalanda at Biharsharif, 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/-

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