

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1515 of 2024

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Rukmini Devi wife of Sri Ashok Kumar, resident of village Lahaladpur,
Mohanpur, Block - Punpun, District Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate, District - Patna.
3. The Deputy Development Commissioner -cum- Chief Executive Officer, Zila Parishad, District Patna, Patna.
4. The District Panchayati Raj Officer, District- Patna.
5. The Zila Parishad, District- Patna through its Chief Executive Officer.
6. The Adyaksha, Zila Parishad, District - Patna, Patna.
7. The Up-Adhyaksha, Zila Parishad, District - Patna, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar, Advocate
For the Respondent/s : Mr. Government Pleader 26

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2024 Heard the parties.

2. Mr. Ujjwal Kumar, learned counsel appearing on behalf of the petitioner submits that matter requires to be adjudicated by the District Magistrate-cum-Collector, Patna, 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 70(v) of the Act, it would be in the interest of justice to call upon the members of the Zila Parishad, to avoid time in process of issuing notice, this Court finds that the District Magistrate must ensure to inform the Deputy Development Commissioner -cum- Chief Executive Officer, Zila Parishad,



District Patna 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 Zila Parishad.

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 31.01.2024 without fail.

6. The special meeting dated 27.01.2024 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)

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