

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1632 of 2024

Chandriyoti Devi Wife of Baijnath Prasad, Resident of Village- Akhanpur,
P.O. Bohiya, P.S. Alipur, District- Gaya, Bihar- 824235, presently Pramukh
Tekari Block Panchayat Samiti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate-cum-District Election Officer, Gaya.
3. The District Panchayati Raj Officer, District- Gaya.
4. The Sub Divisional Officer, Tekari, District- Gaya.
5. The Block Panchayati Raj Officer, District- Gaya.
6. The Block Development Officer, Tekari-cum- Executive Officer, Tekari Block Panchayat Samiti, District- Gaya.
7. Raju Kumar Malakar, Son of Lalan Prasad Malakar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
8. Jai Prakash Kumar, Son of Late Nand Kishore Sharma the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
9. Soni Kumari, Wife of Suraj Kumar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
10. Guddi Devi, Wife of Rangnath Sharma the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
11. Saloni Kumari, Wife of Shambhu Prasad the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
12. Umlesh Devi, Wife of Surendra Ram the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
13. Anita Devi, Wife of Jitendra Kumar Yadav the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
14. Baby Devi, Wife of Dhananjay Kumar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
15. Kavindra Kumar Singh, Son of Ranjit Singh the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.



16. Lalita Devi, Wife of Ashok Singh the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
17. Bhukhan Manjhi, Son of Late Birju Manjhi the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
18. Baliram Yadav, Son of Rampal Yadav the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
19. Pushpa Devi, Wife of Ganesh Prajapati the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
20. Niraj Kumar, Son of Late Ramanand Sharma the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
21. Aman Kumar, Son of Rajiv Kumar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
22. Lov Kush Sav, Son of Mithilesh Sav the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
23. Shambhu Kumar, Son of Baleshwar Singh the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
24. Mamta Kumari, Wife of Sajjan Kumar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
25. Rumanti Devi, Wife of Munna Yadav the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
26. Ranjay Singh, Son of Surendra Singh the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
27. Nagmati Devi, Wife of Shiv Raj Das the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
28. Rina Devi, Wife of Raju Mistri the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
29. Virendra Das, Son of Ganori Das the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
30. Suryakali Devi, Wife of Hare Ram Paswan the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.



31. Anita Kumari, Wife of Santosh Kumar the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
32. Mahendra Paswan, Son of Yadu Ram the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
33. Gaya Datt Sharma, Son of Late Dev Datt Singh the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
34. Amrit Lal Mani, Son of Raj Kumar Manjhi the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
35. Ranjani Devi, Wife of Shivpujan Paswan the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.
36. Mitni Devi, Wife of Jitendra Yadav the member of Block Panchayat Samiti, Tekari through the Block Development Officer- cum- Executive Officer, Block Panchayat Samiti, Tekari, P.S. Tekari, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Raj, Advocate Mr. Aditya Raj, Advocate Mr. Subham Singh, Advocate
For the Respondent/s	:	Mr. Satya Vrat, AC to GP-10
For Respondent No. 16	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate Mr. Amresh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-01-2024 Heard the parties.

2. Taking into consideration the communication made in ‘Anneuxre-7’, the petitioner had already been directed to convene a special meeting of ‘No Confidence Motion’ by fixing a date in accordance with the provision of Section 44 of the Bihar Panchayat Raj Act, 2006 (hereinafter referred to as the ‘Act’), the elected members of the Panchayat Samiti if want a



motion of no confidence to be convened, they are required to be present on the date of meeting.

3. The meeting has to be convened in the manner prescribed by a Division Bench of this Court in ***L.P.A. No. 113 of 2020 (Dharamsila Kumari vs. Hemant Kumar & Ors.)*** particularly, in light of clarification made in paragraphs no. 58 and 59 of the said judgment.

4. The Block Development Officer-cum-Executive Officer in no manner is required to interfere with the meeting of ‘No Confidence Motion’, which is required to be held among the elected members, who are present on the date fixed for meeting.

5. Since the order has been passed in the open Court, learned counsel for the State is directed to communicate this order to all the state respondents for the needful without waiting for the order to be pronounced.

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

(Purnendu Singh, J)

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