

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2079 of 2024

1. Kiran Devi W/o-Anil Ravidas Resident of Village- Olipur, P.O. and P.S.- Narhat, Distirct-Nawada, Presently Pramukh of Block Panchayat Samiti, Narhat, District-Nawada.
2. Arjun Chaudhary S/o-Latan Chaudahry Resident of Vilalge-Baripali, P.O.- Choti Pali P.S.-Narhat, District-Nawada, Presently Up-Pramukh of Block Panchayat Samiti, Narhat, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Distirct Migistrate, Nawada, Distirct-Nawada.
4. The District Panchayat Raj Officer, Nawada, Distirct-Nawada.
5. The Sub-Divisional Officer, Rajauli, District-Nawada.
6. The Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, District-Nawada.
7. The Block Panchayat Raj Officer, Narhat, Distirct-Nawada.
8. Smt. Anamika Itulya Wife of Not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
9. Chitwan Prasad Verma Son of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
10. Soni Kumari Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
11. Gulabi Devi Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
12. Aarti Kumari Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
13. Shaheen Praween Wife of not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.



- 14. Qamrun Nisha Wif eof not Known to the Petitioner, the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
- 15. Sarita Kumari Wife of Not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
- 16. Md. Israil Son of Not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
- 17. Prawesh Kumar Son of not Known to the Petitioner, the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
- 18. Akhtar Jarrah Son of not Known to the Petitioner, the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.
- 19. Sulekha Kumari Wife of Not Known to the Petitioner the Elected Members of Block Panchayat Samiti, Narhat through the Block Development Officer-Cum-Executive Officer, Block Panchayat Samiti, Narhat, P.O. -Narhat, P.S. Narhat District-Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Advocate Mr. Awnish Kumar, Advocate
For the State	:	Mr. Pramod Kumar Singh, AC to SC-16
For the SEC	:	Mr. Ravi Ranjan, Advocate Mr. Girish Pandey, Advocate
For private Respondents :		Mr. Bindhyachal Singh, Sr. Advocate Mr. Amresh Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 30-07-2024 Heard the parties.

2. The present petition has been preferred for the grant
of following reliefs:

*(i) for issuance of an appropriate
writ in the nature of certiorari for quashing
the requisition dated 03.01.2024 signed by*



12 elected members of Narhat Block Panchayat Samiti and addressed to the petitioner but directly submitted in the office of Respondent no.6 on 04.01.2024 whereby and where under the members of the Block Panchayat Samiti had made a request from the petitioner to fix the date of Special Meeting of the Block Panchayat Samiti for consideration of their No Confidence Motion against the petitioners;

(ii) for issuance of an appropriate writ in the nature of CERTIORARI for quashing the notice dated 24.01.2024 issued under the signature of Respondent no.6 and contained in his letter no. 61 and 62 dated 24.01.2024 whereby and where under the Respondent no.6 has been pleased to request the elected members of Block Panchayat Samiti, Narhat to attend the special meeting of Block Panchayat Samiti convened on 05.02.2024 for consideration of No Confidence Motion against the petitioners on the ground that the impugned notice issued by the Respondent no.6 on the basis of date of the meeting fixed by the requisitionists in complete violation of and without complying the mandatory provisions as contained under Sec. 44(3)(i) of the Bihar Panchayat Raj Act, 2006;

(iii) for issuance of any other



appropriate Writ/Writs, order/orders, Direction/Directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.

3. The matter relates to Narhat Block Panchayat in the district of Nawada and the two petitioners who approached this Court were serving as its Pramukh and Up-Pramukh.

4. The case of the petitioners is/are as follows:

5. After the petitioners completed their two years tenure in the office, the members came out with a requisition (signed by the 12 of them) addressed to the petitioner sought their removal from the post of Pramukh and Up-Pramukh of Block Panchayat Samiti Narhat.

6. The case of the petitioner no. 1 (Pramukh) is that though the petitioner was not present either at her residence or in her office on 03.01.2024 due to the fact that she was under treatment since 21.12.2023 at Bihar Sharif where her husband is working as an Assistant Revenue Officer, without waiting for it directly submitted the requisition to the respondent Executive Officer (respondent no. 6) on 03.01.2024.

7. Thereafter, on 04.01.2024, the respondent no. 6 prepared a forwarding letter addressed to the petitioner vide his letter no.16 dated 04.01.2024 annexing the requisition of the



members to the petitioner for fixation of the date of special meeting. It was received by the petitioner through Whatsapp message on 10.01.2024 whereafter she came to know about the said requisition moved against her by the members of Block Panchayat Samiti for her removal from the post of Pramukh as also for the removal of Up-Pramukh of Narhat Block Panchayat Samiti.

8. The case is that since the requisition was neither presented in the manner prescribed under the statute i.e. according to Sub- Section (3) (i) of Section-44 of the Bihar Panchayat Raj Act, 2006 (henceforth for short, 'the Act'), the petitioner vide her letter no.141 dated 10.01.2024 informed the respondent no. 6 that since she was not available at her residence as well as in her office from 21.12.2023 itself for a reasonable cause, it was not proper for the requisitionists to submit the requisition directly in the office of Respondent no.6. She further requested the respondent no. 6 to send the original requisition at her residence on 15.01.2024 for her perusal so that further action is taken.

9. However, the respondent no.6 instead requested the requisitionists to fix the date of special meeting of Panchayat Samiti, Narhat. The requisitionists thereafter fixed the date of



special meeting on 05.02.2024 to consider the 'No Confidence Motion' against the petitioners which was received in the office of respondent no.6 on 24.01.2024.

10. The Respondent no.6 on the same day vide his letter no. 61 and 62 dated 24.01.2024 had issued a notice requesting the elected members of the Block Panchayat Samiti to attend the Special Meeting of Block Panchayat Samiti on 05.02.2024 convened for the purposes of consideration of 'No Confidence Motion' against the petitioner no. 1 and 2 respectively.

11. The case is that since the notice issued by the Respondent no.6 for consideration of 'No Confidence Motion' against the petitioner on the basis of a requisition is not in accordance with law, the Special meeting convened on 05.02.2024 being illegal and need interference.

12. Learned counsel for the petitioners reiterated his submission that when admittedly, she was in Bihar Sharif due to her illness, the same was informed to the Executive Officer, there was no reason for the members to rush directly to the Executive Officer. As such, after her return and on the presentation of the file for fixing the date, she averred that as no petition has been directly submitted before her, it can be



considered only when such petition is preferred, she will take steps.

13. He submits that in that background, instead of submitting the fresh requisition, the Executive Officer referred the matter to the members who fixed the date on 05.02.2024 and as such, the same is vitiated.

14. Though learned counsel for the petitioners made submission regarding her returning of the file on 22.01.2024, no such statement has been made in the writ petition. After the statement that she requested the respondent no. 6 to send the original requisition at her residence on 15.01.2024, the further statement in paragraph 14 straightaway moves to the steps taken by the requisitionists to fix the date on 05.02.2024.

15. From the aforesaid facts, it is clear that the petitioners tried to suppress material facts which otherwise should have been brought on record in the writ petition itself as her refusal to fix a date and returning the file on 22.01.2024 necessitated the members to fix a date themselves as 05.02.2024.

16. The entire case of the petitioners is based on the fact that the petitioner no. 1 was in Bihar Sharif for her treatment from 21.12.2023. However, no medical document/prescription is



on record in the writ petition demolishing her entire case.

17. Only after the counter affidavit came to be filed by the respondent no. 6, the petitioners filed supplementary affidavit attaching medical prescription (Annexure-P/9). This Court has perused the said medical prescription of Hena Maternity Hospital, Biharsharif. The date of the said prescription starts with 13th September, 2023 in which certain routine advice/medicines is/are incorporated. It is followed by advice/medicines on 21st September, 2023 and 26th September, 2023. The last date incorporated is 27th November, 2023. The prescription stops there inasmuch as after 27th November, 2023, no further document is on record to show that the petitioner was undergoing any kind of treatment before any Hospital and/or Doctor between December, 2023 to January, 2024 as has been claimed by her to stamp her absence.

18. The writ petitioners have to make out a case in the writ petition itself and cannot hide behind the documents which is/are filed by either by the respondents and/or by herself/himself by way of supplementary affidavit. Even then, the medical prescription brought by way of supplementary affidavit does not support the statement made by the writ petitioner in the writ petition which is the basis for her absence



or disappearance from her house. Thus, the foundation of the case stands demolished.

19. The counter affidavit of the respondent no. 3 duly signed by the Senior Deputy-Collector, Nawada has given the details which is/are as follows:

9. That, in reply to paragraph no. 7, it is being stated and submitted that from perusal of the concerned records related to requisition for consideration of No Confidence against the petitioners, it is apparent that in terms of the provisions as contained in Sec. 44(3)(i) of the Bihar Panchayat Raj Act, 2006 (for the sake of brevity hereinafter referred to as the Act, 2006), 12 (Twelve) elected members out of total 14 (Fourteen) elected members of Panchayat Samiti, Block-Narhat presented a copy of the requisition on dated 03.01.2024 for convening the special for consideration of "No Confidence" against the Pramukh (Petitioner No. 1) and the Up-Pramukh (Petitioner No. 2) and the same being addressed to the Pramukh (the petitioner no. 1) with a copy to the Executive Officer, Panchayat Samiti, Narhat Block (Respondent No. 6). The above said requisition dated 03.01.2024 had been received by the Executive Officer, Panchayat



Samiti, Narhat Block (respondent no. 6) on dated 03.01.2024. From the record, it is apparent that the Executive Officer, Panchayat Samiti, Narhat Block (Respondent No. 6) sent the said requisition in the concerned file to the petitioner no. 1 and also, sent the said requisition alongwith letter no. 16 dated 04.01.2024 to the petitioner no. 1 for convening the special meeting for the consideration of No Confidence. As mentioned in record, the petitioner no. 1 was found absent from her residential address on dated 04.01.2024 and later on dated 05.01.2024 & 06.01.2024. Then the said requisition alongwith the letter dated 04.01.2024 was pasted on the wall of her residential house on dated 10.01.2024. Thereafter, vide letter no. 141 dated 10.01.2024, the Pramukh (petitioner no. 1) communicated to the Executive Officer of the Panchayat nSamiti, Narhat Block to present the concerned file on 15.01.2024. After making observation on dated 20.01.2024 and without fixing the date of special meeting for consideration of No Confidence, the petitioner no. 1 (Pramukh) returned the file to the Executive Officer (respondent no. 6).

10. That, in reply to paragraph no. 8 to 11, it is stated and submitted that the



averments as made therein, have been misconceived by the petitioners.

In the present case, from the perusal of the concerned record, it is apparent that the Executive Officer, Panchayat Samiti, Narhat Block (respondent no. 6) brought the requisition of convening the special meeting for consideration of No Confidence against the petitioners (Pramukh and Up-Pramukh, respectively) to the Pramukh on dated 04.01.2024 through special meeting but as such she was not at her residence, the file could not been presented to the Pramukh (petitioner no. 1) and the file was again sent on dated 05.01.2024 and 06.01.2024. Thereafter, vide letter no. 141 dated 10.01.2024, the Pramukh, herself, requested the Executive Officer, Panchayat Samiti, Narhat Block (respondent no. 6) to send the concerned file on dated 15.01.2024 to take decision and accordingly, the concerned file was sent by the Executive Officer, Panchayat Samiti, Narhat Block (respondent no. 6) to the Pramukh (petitioner no. 1) through the special messenger on 15.01.2024 and the Pramukh returned the concerned file with a noting dated 20.01.2024 in which the petitioner no. 1 (Pramukh) raised objection regarding the merit of the said requisition



and did not fixed the date for convening the special meeting for consideration of No Confidence.

11. That, in reply to paragraph no. 12 & 13, it is stated and submitted that the averments as made therein, are apparently false and misleading and hence, denied.

In this regard, it appears from the perusal of the concerned record that the Pramukh (petitioner no. 1) did not fixed the date of special meeting for consideration of No Confidence even after having knowledge of the No Confidence requisition.

12. That, in reply to paragraph no. 14, it is stated and submitted that the averments as made therein, are also false and misleading and hence, denied.

In this regard, it is humbly stated and submitted that upon the receipt of the letter dated 10.01.2024 of the petitioner no. 1, the respondent no. 6 again sent the concerned file alongwith the said requisition to the petitioner no. 1 on dated 15.01.2024 as wished by the petitioner no. 1 for convening the special meeting for consideration of No Confidence but the petitioner no. 1 returned the concerned file signed on dated 20.01.2024 and returned the same to the office on dated 22.01.2024 without fixing the date for special meeting



for consideration of No Confidence. Thereafter, on dated 22.01.2024, the concerned file was sent to the Up-Pramukh through special messenger but he was also not found at his residence.

13. That, thereafter, in terms of the provision as contained in Section 44(3)(i) of the Act, 2006, on the written request of more than one-third of the total member of directly elected members of Panchayat Samiti, Narhat on dated 24.01.2024 the date of special meeting for consideration of No Confidence was fixed on dated 05.02.2024. The Executive Officer of Narhat Panchayat Samiti (respondent no. 6) issued notices to the members for special meeting for consideration of No Confidence accordingly.

18. That, it is being stated and submitted that the special meeting for consideration of No Confidence against the petitioners (Pramukh and Up-Pramukh) was fixed by more than one- third of elected Panchayat Samiti members and was convened on the date fixed by them on dated 05.02.2024. From records, it is apparent that the said special meeting passed the No Confidence Motion against the petitioners on dated 05.02.2024 by a majority of Twelve out of Total Fourteen elected members of Panchayat Samiti, Narhat.”



20. A counter affidavit of the members/respondent nos. 8 to 19 is on record and paragraph 7 read as follows:

“7. That some dates are relevant to bring to the notice of this Hon'ble Court for consideration as

03/01/2024: Requisition was given to Petitioner no. 1 but after going through the same she refused to take requisition for fixing a date for convening of no vote confidence motion. On same day copy of said requisition was given to Executive Officer cum Block Development Officer, Narhat and in same is also written that petitioner no.1 refused to take the requisition.

04/01/2024 : That thereafter Executive (Panchayat Samittee) cum Officer Block Development Officer, Narhat issued letter to petitioner no. 1, on 04/01/2024 for fixing a date no vote confidence motion. Petitioner no 1 house was closed and hence same was sent on whatsapp of petitioner no. 1. The requisition was regularly sent to petitioner no. 1 on 05/01/2024, 06/01/2024, 08/01/2024 and 10/01/2024 but house was found closed.

10/01/2024 : Vide letter 141 dt. 10/01/2024 petitioner no. 1 informed Executive Officer (Panchayat Samittee) cum



Block Development Officer, Narhat that she is under treatment and would come in Block on 15/01/2024.

15/01/2024 : That petitioner no. 1 received the requisition from B.D.O. cum Executive Officer Narhat Block.

22/01/2024 : That petitioner no.1 returned the file without fixing any date for no confidence motion with reason that the requisition was not given to him by requisitionist but same came through B.D.O. cum Executive Officer Narhat Block.

22/01/2024 : That B.D.O. cum Executive Officer Narhat Block, sent the file to Up Pramukh on 22/01/2024 but he was not found at his residence.

23/01/2024 : Since no date was also fixed by Up Pramukh petitioner no.2. then information of same was given to all Panchayat Samiti members for fixing a date for Special meeting for no confidence motion.

24/01/2024 : That upon information given by B.D.O. cum Executive Officer Narhat Block, the members fixed date for Special meeting for no confidence motion fixing date as 05/02/2024. The notice was also issued and served on same day for Special meeting to be held on 05/02/2024 for no vote of confidence.



05/02/2024 : The meeting was held and no vote confidence motion was passed against petitioners as 12 to 0 votes.”

21. Though the petitioners have filed a supplementary affidavit by way of rejoinder save and except reiterating the fact that has come on record which has already been incorporated, the statement made both by the state-respondents as also the members have not been categorically denied.

22. In the aforesaid circumstance and in view of the fact that there is no medical prescription/any treatment document relating to her illness after 27.11.2023, it can be safely presumed that only to escape from accepting the notice, she chose to disappear from her residence after refusal to accept it on 03.01.2024. Annexure-P/2 clearly state as follows:

सेवा में,

माननीया प्रमुख महोदया,

पंचायत समिति प्रखंड नरहट (नवादा)

विषय :- माननीया प्रमुख किरण देवी एवं उप प्रमुख अर्जुन चौधरी के विरुद्ध अविश्वास प्रस्ताव पारित करने हेतु मत विभाजन हेतु विशेष बैठक की तिथि निर्धारित करने के संबंध में।

महाशय

उपरोक्त विषय के संबंध में कहना है कि हमलोग प्रखण्ड पंचायत समिति में कुल 14 पंचायत समिति सदस्यों में से बहुसंख्यक



निम्नलिखित सदस्य गण माननिया प्रमुख किरण देवी एवं उप प्रमुख अर्जुन चौधरी के विरुद्ध निम्नलिखित कारणों से अविश्वास प्रस्ताव पारित करने हेतु पंचायत समिति की विशेष बैठक की तिथि निर्धारित करने का मांग करते हैं।

1. माननीय वर्तमान प्रमुख किरण देवी एवं उप प्रमुख अर्जुन चौधरी पंचायत समिति में अपना बहुमत खो चुके हैं।

2. यह की पंचायत समिति में आपका बहुमत नहीं रहने के कारण विगत एक वर्ष से पंचायत राज अधिनियम के तहत नियमित रूप से पंचायत समिति के बैठक नहीं होने के कारण पूरे प्रखण्ड का विकास कार्य अवरुद्ध है।

3. माननीया प्रमुख महोदया एवं उप प्रमुख महोदय आप विकास कार्यों के प्रति सजग, एवं सर्वेदनशील एवं रुचिशील नहीं हैं, आप कर्तव्यों के निष्पादन में कदाचार एवं शिथिलता वरतते हैं आपकी कार्यशैली तथा कार्य जनहित विरोधी है।

4. पंद्रहवी वित्त आयोग एवं षष्ठम वित्त आयोग टाइड अन टाइड की योजना की राशि को मनमानी तरीके से प्रमुख एवं उप प्रमुख दोनों के द्वारा अपने अपने क्षेत्र में ज्यादा से ज्यादा राशि का काम कराना।

5. माननीया प्रमुख एवं उप प्रमुख के द्वारा पंचायत समिति सदस्यों के साथ अभद्र व्यवहार, एवं गाली गलौज करना। एवं पंचायत समिति सदस्यों को हरिजन एक्ट में फसाने का धमकी देना।

6. पंचायत समिति के द्वारा कराए जा रहे सभी योजनाओं में



आप दोनों के द्वारा कमिसन लिया जाना ।

उपरोक्त सभी कारणों से आप पंचायत राज् अधिनियम 2006 के सुसंगत. धाराओं के तहत, प्रमुख के पद पर बने रहने के योग्य नहीं है तथा सदस्यों के बीच आप अपना बहुमत खो चुके है।

अतः माननीया प्रमुख महोदया से अनुरोध है की बिहार पंचायत राज्य आधिनीयम 2006 के सुसंगत धाराओ के अधीन अविश्वास प्रस्ताव पारित करने हेतु विशेष बैठक कि तिथि निर्धारित अवधि के अन्दर तय करने कि कृपा करे ताकि नए प्रमुख का चयन किया जा सके ।

विश्वासभाजन

नरहट प्रखण्ड पंचायत समिति के सदस्य गण

1. अस्पष्ट
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11. अस्पष्ट



12. अस्पष्ट

प्रतिलिपि :

:- कार्यपालक पदाधिकारी पंचायत समिति नरहट सह प्रखण्ड विकाश पदाधिकारी नरहट को सूचनार्थ, यह की यह आवेदन मूल प्रति माननीय महोदया को हमलोग उनके निजी आवास पर देने गए आवेदन लेने के बाद उन्होंने अपने पुत्र एवं पुत्री से पढ़वाकर हमलोग का आवेदन लेने से इंकार कर दिए और हमलोगों के आवेदन को लौटा दिए अतः आग्रह है की वर्णित प्रावधानों एवं नियम के तहत अपने स्तर से अग्रेतर कारवाई करने हेतु सूचनार्थ प्रेषित ।

विश्वशभाजन

नरहट प्रखण्ड पंचायत समिति के सदस्य गण

1. अस्पष्ट
2. अस्पष्ट
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10. अस्पष्ट
11. अस्पष्ट



12. अस्पष्ट

23. It is to be noted that as per aforesaid narration (Annexure-P/2), it is clear that on 03.01.2024, she was at her home, it was presented to her, she directed her children to go through the facts incorporated in the notice and then refused to take the same. It was in the aforesaid background that the members approached the Executive Officer, Narhat, Nawada which followed the developments which is already on record.

24. As stated above, the file later came to the petitioner, she kept it for few days and on 22.01.2024, it was returned with her comments refusing to act on the notice. However, again the said statement was missing in the writ petition.

25. Learned counsel for the petitioners wanted this Court to take note of Section 44 (3) (v) of the Bihar Panchayat Raj Act, 2006 (henceforth for short, 'the Act') which read as follows:

(v) As soon as the meeting called under this Section begins, the presiding member of this meeting shall read out the motion on which the meeting has been called to consider before the members present and declare it open for discussion. Any discussion on the motion shall not be



adjourned.

26. As the petitioner refused to accept the notice, she cannot hide behind Section 44(3)(i) of 'the Act'.

27. He submits that the proceeding used the word 'चर्चा' that the members deliberated over the allegation. To a query by this Court, whether the petitioner was present in the meeting to refute the allegation, the answer is in negative.

28. A perusal of Section 44(3)(v) of 'the Act' would show that once the meeting starts, the motion will be read out and thereafter, it will be open for discussion. To the limited understanding of this Court, the word discussion means 'चर्चा'.

29. The further development is that on the vacant post of Pramukh and Up-Pramukh of Narhat Block Panchayat Samiti, election took place on 13.03.2024 and in view of the single nomination for the post of Pramukh as well as Up-Pramukh, the respondent no. 19, Sulekha Kumari as also respondent no. 16, Md. Israil have been elected as Pramukh and Up-Pramukh respectively (Annexure-P/10 to the writ petition).

30. This Court has incorporated all the facts relating to the writ petition including the fact that the foundation of this case is based on her illness and treatment at Biharsharif. However, there is no document in the writ petition. Later, in the supplementary affidavit, a prescription has been attached where



the treatment stops at 27.11.2023. Further, she refused to act and on 22.01.2024, returned the file that has been deliberately suppressed in the writ petition.

31. This takes the Court to a definite conclusion that the process initiated/concluded by the respondent authorities is/are fully justified. No interference is required.

32. The writ petition is bereft of merit and is accordingly dismissed.

(Rajiv Roy, J)

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