

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2142 of 2024

Radhika Devi W/o Sunil Kumar Gupta R/o village and PO-Rasen Kalan, PS- Rajpur,
District Buxar presently Pramukh of Block Panchayat Samiti, Rajpur Block, District
Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Through The Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Raj Secretary, Panchayati Department, Government of Bihar, Patna.
3. The District Magistrate, Buxar, District- Buxar.
4. The District Panchayat Raj Officer, Buxar.
5. The Sub-Divisional Officer, Buxar Sadar, Buxar.
6. The Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur.
7. The Block Panchayat Raj Officer, Rajpur, Buxar.
8. Alisher Shah, S/o- Not Known, Elected Member, Block Panchayat Samiti, Barupur (1) Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
9. Manpyari Devi, W/o- Shivji Rai (Rajbhar), Elected Member, Block Panchayat Samiti, Barupur (2), Rajpur Block through the Block Development Officer-cum-Executive Block Panchayat Samiti, Rajpur Block. Officer,
10. Anjali Devi, W/o- Ravi Shankar Prasad, Elected Member, Block Panchayat Samiti, Mangrawn, Rajpur Block through the Block Development Officer-cum-Executive Block Panchayat Samiti, Rajpur Block. Officer.
11. Mansa Devi, W/o- Bharat Prasad Ram, Elected Member, Block Panchayat Samiti, Nagpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
12. Arti Devi, W/o- Brejesh Paswan, Elected Member, Block Panchayat Samiti, Khiri (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
13. Bindu Devi, W/o- Manoj Kumar Singh, Elected Member, Block Panchayat Samiti, Khiri (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
14. Phulkumari Devi, W/o- Raushan Kumar Rajbhar, Elected Member, Block Panchayat Samiti, Akbarpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
15. Maya Devi, W/o- Bihari Rajak, Elected Member, Block Panchayat Samiti, Tiyyara, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
16. Anil Kumar Verma, S/o- Not Known, Elected Member, Block Panchayat Samiti, Devadhiya (1), Rajpur through Block the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
17. Kamlesh Ram, S/o- Not Known, Elected Member, Block Panchayat Samiti, Devadhiya (2), Rajpur through Block the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
18. Chandani Devi, W/o- Satendra Kumar Ram, Elected Member, Block Panchayat Samiti, Rajpur, Rajpur Block through the Block Development Officer-cum-Executive



tive Officer, Block Panchayat Samiti, Rajpur Block.

19. Taramuni Devi, W/o- Not Known, Elected Member, Block Panchayat Samiti, Het-hua, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
20. Ramashish Sah, S/o- Not Known, Elected Member, Block Panchayat Samiti, Harpur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
21. Upendra Kumar Pandey, S/o- Not Known, Elected Member, Block Panchayat Samiti, Rasen (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
22. Sandhya Kumari, W/o- Akhilesh Kumar Ram, Elected Member, Block Panchayat Samiti, Banni (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
23. Manti Devi, W/o- Om Prakash Singh, Elected Member, Block Panchayat Samiti, Banni (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
24. Jhabbu Paswan, S/o- Not Known, Elected Member, Block Panchayat Samiti, Kharahana, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
25. Dhanvarti Devi, W/o- Baliram, Elected Member, Block Panchayat Samiti, Dhansoi, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
26. Shushila Devi, W/o- Binod Kumar Singh, Elected Member, Block Panchayat Samiti, Samhuta (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
27. Munna Kumar Singh, S/o- Not Known, Elected Member, Block Panchayat Samiti, Samhuta (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
28. Majidan Khatoon, W/o- Sahabuddin Ansari, Elected Member, Block Panchayat Samiti, Matkipur, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
29. Manju Devi, W/o- Guddu Kumar Kharwar, Elected Member, Block Panchayat Samiti, Dulfra, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
30. Raju Kumar Paswan, S/o- Not known, Elected Member, Block Panchayat Samiti, Kandhharkala (1), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
31. Binod Kumar Ram, S/o- Not known, Elected Member, Block Panchayat Samiti, Kandhharkala (2), Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.
32. Kashmira Devi, W/o- Not known, Elected Member, Block Panchayat Samiti, Sikathi, Rajpur Block through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Rajpur Block.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate
For the Respondent/s : Mr.Standing Counsel 26,

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH



ORAL JUDGMENT

Date : 06-02-2024

Heard Mr. Arvind Kumar Pradhan, learned counsel appearing on behalf of the petitioner and learned SC 26 for the State.

2. Learned counsels appearing on behalf of the petitioner and the respondents are present and they jointly pray that the matter be referred before the District Magistrate-cum-Collector to exercise his power under Section 157 of Bihar Panchayat Raj Act, 2006.

3. The District Magistrate concerned is directed to hear all the parties and pass a reasoned order.

4. In case special meeting to consider 'No Confidence Motion' has already been conducted, even in that case, the District Magistrate is required to call for the audit report for the period during which the petitioner was in office to ascertain the gravity of the charge against the petitioner and examine the role of the Block Development Officer and pass a reasoned order in accordance with law after giving due opportunity of hearing to the affected parties.

5. With the above observation/direction, the present writ petition stands disposed of.

6. Since the order has been passed in the open Court, learned counsel appearing on behalf of the State is directed to



communicate this order to all the respondents for the needful
without waiting for the order to be pronounced.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	09.02.2024
Transmission Date	N/A

