

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2210 of 2024

Pinki Kumari Wife of Prem Kumar Sinha, Permanent Resident of Village- Maheshpur, P.S- Chandi, District- Nalanda, Bihar, at present Nav Bihar Colony, Transport Nagar, Sampatchak, P.S. Sampatchak, District-Patna.

... .. 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 Divisional Commissioner, Patna.
4. The District Magistrate, Nalanda.
5. The District Development Commissioner-cum-Executive Officer, Zila Parishad, Nalanda.
6. Ajay Kumar, son of not known to the petitioner, Resident of Village- Makhdumpur, P.O. and P.S. Karaiparsurai, District- Nalanda.
7. Archana Kumari, wife of not known to the petitioner, Resident of Village- Mahadipur, P.O. Tina, P.S. Nagarnausa, District- Nalanda.
8. Sanjay Kumar, son of not known to the petitioner, Resident of Village- Lo- handa, P.O. Dahbigha, P.S. Hilsa, District- Nalanda.
9. Pammi Kumari, wife of not known to the petitioner, Resident of Village- Gondu Bigha, P.O. Gondubigha, P.S. Chiksaura, District- Nalanda.
10. Gayatri Devi, wife of not known to the petitioner, Resident of Village- In- jora, P.O. and P.S. Ekangarsarai, District- Nalanda.
11. Uma Devi, wife of not known to the petitioner, Resident of Village- Kadilpur, P.O. Narayanpur, P.S. Ekangarsarai, District- Nalanda.
12. Archana Sinha, wife of not known to the petitioner, Resident of Village- Muzaffara, P.O. Bardih, P.S. Islampur, District- Nalanda.
13. Tanuja Kumari, wife of not known to the petitioner, Resident of Village- Vishnupur, P.O. Ranipur, P.S. Islampur, District- Nalanda.
14. Anuradha Devi, wife of not known to the petitioner, Resident of Village- Panhar, P.O. Panhar, P.S. Khodaganj, District- Nalanda.
15. Nutan Devi, wife of not known to the petitioner, Resident of Village and P.O. Bhui, P.S. Silao, District- Nalanda.
16. Baby Devi, wife of not known to the petitioner, Resident of Village and P.O. Barakar, P.S. Silao, District- Nalanda.
17. Navita Sinha, wife of not known to the petitioner, Resident of Village and P.O. Nanand, P.S. Silao, District- Nalanda.



18. Punam Sinha, wife of not known to the petitioner, Resident of Village- Chhotki Ant, P.O. Badki Ant, P.S. Ben, District- Nalanda.
19. Priti Devi, wife of not known to the petitioner, Resident of Village Govind- pur Beldarari, P.O. Badara, P.S. Nursarai, District- Nalanda.
20. Juli Kumari, wife of not known to the petitioner, Resident of Village-Saidi, P.O. Nursarai, P.S. Nursarai, District- Nalanda.
21. Udai Nandan Prasad, son of notknown to the petitioner, Resident of Village and P.O. Dhanawan, P.S. Parwalpur, District- Nalanda.
22. Amit Kumar Raj, son of not known to the petitioner, Resident of Village- At- wal Chak, P.O. Madhopur, P.S. Chandi, District- Nalanda.
23. Niranjana Kumar, son of not known to the petitioner, Resident of Village- Giridharchak, P.O. Sirnama, P.S. Haranut, District- Nalanda.
24. Kamlesh Paswan, son of not known to the petitioner, Resident of Village and P.O. Daytupur, P.S. Chandi, District- Nalanda.
25. Mamta Devi, wife of not known to the petitioner, Resident of Village- Ram- sang, P.O. Harnaut P.S. Harnaut, District- Nalanda.
26. Tusi Devi, wife of not known to the petitioner, Resident of Village- Bishun- pur, P.O. Utarnama, P.S. Rahui, District- Nalanda.
27. Kirti Devi, wife of not known to the petitioner, Resident of Village- Nijaai, P.O. Sonsa, P.S. Rahui, District- Nalanda.
28. Bipin Kumar, son of not known to the petitioner, Resident of Village ,P.O. and P.S. Bind, District- Nalanda.
29. Narottam, son of not known to the petitioner, Resident of Village- Kotara, P.O. Gopalbad, P.S. Sarmera, District- Nalanda.
30. Ashok Kumar Singh, son of not known to the petitioner, Resident of Village- Tora, P.O. and P.S. Sarmera, District- Nalanda.
31. Purushottam Kumar Sinha, son of not known to the petitioner, Resident of Village- Dayamchak, P.O. Kailapur, P.S. Saare, District- Nalanda.
32. Pankaj Kumar, son of not known to the petitioner, Resident of Village- Molna Bigaha, P.O. Onda, P.S. Saare, District- Nalanda.
33. Ajay Kumar, son of not known to the petitioner, Resident of Village - Fateh- pur, P.O, Ugawan, P.S. Asthawan, District- Nalanda.
34. Geeta Devi, wife of not known to the petitioner, Resident of Village and P.O. Nakatpura, P.S. Bihar, District- Nalanda.
35. Mamta Kumari, wife of not known to the petitioner, Resident of Village and P.O. - Raitar, P.S. Giriyak, District- Nalanda.
36. Anita Devi, wife of not known to the petitioner, Resident of Village- Tetar- wan P.O. Tetarwan, P.S. Manpur, District- Nalanda.
37. Mano Devi, wife of not known to the petitioner, Resident of Village- Keshopur, P.O. Keshorpur, P.S. Hisla, District- Nalanda.
38. Kaushlendra Prasad, son of not known to the petitioner, Resident of Village-



Maira, P.O. Maira Barit, P.S. Katri Sarai, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Hansraj, Advocate
For the Respondent/s	:	Mr. Government Advocate 5
For the Zila Parishad	:	Mr. Awadhesh Prasad Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 06-02-2024

Heard the parties.

2. With the consent of the parties, the present writ petition is being disposed of at the stage of Admission itself.

3. 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 63(2) of Bihar Panchayat Raj Act, 2006.

4. 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 Deputy Development Commissioner-cum-Executive Officer, and pass a reasoned order in accordance with law after giving due opportunity of hearing to the affected parties.

5. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad, District, Nalanda must



not interfere in any manner, while the special meeting is being held and Presiding Officer nominated by the House must ensure fair play and follow the democratic process in declaration of the result in accordance with the provision of Section 63(2) of the Bihar Panchayat Raj Act, 2006.

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

7. 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.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.02.2024
Transmission Date	NA

