

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2844 of 2024

=====

Kanta Devi Wife of Sri Kanth Dubay Resident of Village Champapur, P.S.
Ramgarwaha, District East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Panchayati Raj Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Additional Chief Secreary, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Director, Panchayati Raj, Department of Panchayati Raj, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
4. The Collector-Cum-Magistrate, District-East Champaran.
5. The District Panchayat Raj Officer, East Champaran.
6. The Sub-Divisional Officer, Raxaul, East Champaran.
7. The Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, West Champaran.
8. Avnish Kumar Pandey Son of not Known, Member Panchayat Area No.17. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
9. Raj Kumari Singh Son of not Known Member Panchayat Area No.01. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
10. Vinod Shah Son of not Known Member Panchayat Area No.02. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
11. Priyanka Kumari Wife of not Knwon Member Panchayat Area No.03. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
12. Geeta Devi Wife of Not Known Member Panchayat Area No.04. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
13. Rizwan Praven Wife of not Known Member Panchayat Area No.05. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.



14. Kusum Devi Wife of not Known Member Panchayat Area No.06. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
15. Haseena Khatoon Wife of not Known Member Panchayat Area No.07. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
16. Nanhe Raj Kumar Son of not Known Member Panchayat Area No.08. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
17. Ruby Devi Wife of not Known Member Panchayat Area No.09. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
18. Anjay Kumar Son of not Known Member Panchayat Area No.10. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
19. Anita Devi Wife of not Known Member Panchayat Area No.11. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
20. Lalbabu Yadav Son of Not Known Member Panchayat Area No.12. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
21. Md. Azad Son of Not Known Member Panchayat Area No.13. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
22. Shanti Devi Wife of not Known Member Panchayat Area No.14. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
23. Rajkamal Thakur Son of not Known Member Panchayat Area No.17. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
24. Rita Devi Wife of not Known Member Panchayat Area No.16. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.



25. Usha devi Wife of not Known Member Panchayat Area No.18. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
26. Sobha Khatoon Wife of not Known Member Panchayat Area No.19. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
27. Sharda Devi Wife of not Known Member Panchayat Area No.20. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
28. Tengar Thakur Son of not Known Member Panchayat Area No.21. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
29. Jai Shah Son of not Known Member Panchayat Area No.22. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.
30. Awadhesh Prasad Son of not Known Member Panchayat Area No.22. Panchayat Samiti Members of the Block Panchayat Samiti, Ramgarwah, through the Block Development Officer Cum Executive Officer, Block Panchayat Samiti, Ramgarwah, Block-Ramgarwah, District-East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suraj Samdarshi, Advocate
For the Respondent/s : Government Pleader 27

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-02-2024 Heard Mr. Suraj Samdarshi, learned counsel

 appearing on behalf of the petitioner and the learned

 Government Pleader 27 for the State.

2. Learned counsel appearing on behalf of the

petitioner submits that the petitioner seeks to avail remedy

under Section 157 of the Bihar Panchayat Raj Act, 2006



(hereinafter to be referred as the 'Act') before the District Magistrate, East Champaran, for the relief(s) as prayed for in the present writ petition.

3. Considering the limited relief(s) as sought for by the petitioners, the District Magistrate, East Champaran, is directed to call for the records relating to the Panchayat Samiti of concerned Block and fix a date within two days after communication of this order for the attendance of Pramukh, Up-pramukh and all the members of the Panchayat Samiti and seek their signature in his own presence and thereafter, he may fix a date for providing opportunity of hearing to the affected parties and decide the matter considering the charges as contained in the requisition. If he finds that there is violation of manner, as prescribed under Section 44 of the Bihar Panchayat Raj Act, 2006 and same requires interference in any manner with respect to calling of 'No Confidence Motion', which has been fixed on 15.02.2024, the District Magistrate after providing opportunity of hearing may pass a speaking order strictly in accordance with law.

4. The special meeting dated 15.02.2024 shall lose its operation till final decision is taken by the District Magistrate.

5. As the order has been passed in the open Court,



learned counsel for the State has ensured that he will immediately communicate the District Magistrate, East Champaran, by both the means, fax, as well as, by telephonic communication, even before the order is pronounced.

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

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

