

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4068 of 2024

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Madhuri Singh Wife of Anand Mohan Singh Resident of Taraiya, Police
Station- Taraiya, District- Saran, Bihar.

... .. 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 Director, Panchayati Raj Department, Government of Bihar, Patna.
4. The District Magistrate, Saran at Chapra.
5. The A.D.M. Saran- cum- Observer, District- Saran.
6. The District Panchayati Raj Officer, Saran at Chapra.
7. The Sub Divisional Officer, Marharwah, Saran.
8. The Election Commission of Bihar, through the Election Commissioner, Bihar, Patna.
9. The Block Development Officer-cum- Chief Executive, Prakhand Panchayat, Samiti, Taraiya, Saran.
10. Priti Kumari, the then Pramukh-cum- Panchayat Samiti Member, 7, Madhopur, resident of Taraiya Block, Police Station- Taraiya, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
For the Respondent/s : Standing Counsel 7

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-08-2024 Heard the parties.

2. The writ petition has been preferred for the
following relief(s):-

*“(i)For issuance of a writ in the
nature of Certiorai for the letter no. 722 dated
20.02.2024 by which the Officer-on-Special
Duty, State Election Commission, Bihar
requested the District officer - cum- District
Election Officer (Panchayat), Saran to
conduct election to fill the post of Pramukh of
Taraiya Prakhand which had become vacant
after passing of the Non-Confidence Motion*



against Respondent No. 10.

(ii) For issuance of a writ in the nature of Certiorari for quashing the notice contained in letter no. 310 dated 27.02.2024 by which the Sub-Divisional Magistrate, Marharwah, Saran has invited the members of members of Panchayat Samiti to the Special Meeting for election of Prakhand Pramukh on 07.03.2024 at 11:30 p.m. at Prakhand Sabhaghar, Taraiya as against the order and judgment of Learned Single Judge dated 30.01.2024 a Letters Patent Appeal being LPA No. 138/24 has been filed by the Respondent No. 10 and should await the outcome of LPA is taken up for admission.

(iii) For issuance of appropriate direction, order to stay the operation of letter no. 722 dated 20.02.2024 and the notice contained in letter no. 310 dated 27.02.2024 during the pendency of the Writ Application.

(iv) For issuance of any other appropriate writ(s), order(s), direction(s) for which the writ petitioner would be found entitled under the facts and circumstances of this case.

3. It is ironical that in most of the cases, the writ petitions is/are filed for directing the State Election Commission to conduct the election, in this case, the petitioner wanted the request made by the State Election Commission for conducting the election of 'Pramukh' of the Taraiya Block to be stalled.

4. A counter affidavit has been filed by respondent no. 4 duly signed by the Block Development Officer, Taraiya, Saran. According to which, pursuant to the request, the election took place on 07.03.2024 and as only one nomination was filed



by respondent no. 10, Priti Kumari, as such, she was declared the ‘Pramukh’ of the Taraiya Block, Saran.

5. Considering the nature of the prayer, this Court wanted to impose cost while dismissing the writ petition but it refrains from doing so. It is an ill-advised, ill-conceived writ petition and, accordingly, the same stands dismissed.

(Rajiv Roy, J)

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