

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5763 of 2024**

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Savita Devi wife of Sri Raneshwar Prasad Rana, resident of village Raja Virat, P.O. Mahuar, P.S. Manihari, District Katihar, presently Up-Pramukh of Block Panchayat Samiti, Manihari, District Katihar.

... .. 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 District Magistrate, Katihar, District - Katihar.
4. The District Panchayat Raj Officer, Katihar, District Katihar.
5. The Block Development Officer-cum- Executive Officer, Block Panchayat Samiti, Manihari, District-Katihar.
6. Anita Devi, wife of not known to the petitioner Presently Pramukh of Block Panchayat Samiti, Manihari P.O. and P.S. Manihari, District - Katihar.
7. Sharvan Kumar Sah, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
8. Munmun Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
9. Munna Rajak, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
10. Munni Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
11. Sawana Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
12. Hardip Mandal, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
13. Rehana Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.



14. Gulshan Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
15. Sanjay Mandal, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
16. Md. Intaizar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
17. Kundan Kumar, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
18. Sabita Devi, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
19. Munni Tuddu, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
20. Rekha Hansda, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
21. Aisa Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
22. Md. Mokim, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
23. Laddu Khan, Son of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
24. Sitara Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.
25. Asmina Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S.



Manihari, District- Katihar.

26. Jinat Khatoon, Wife of not known to the petitioner the elected member of Block Panchayat Samiti, Manihari through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Manihari, P.O. and P.S. Manihari, District- Katihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Awnish Kumar, Advocate  
For the Respondent/s : Mr. Government Pleader 22

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      09-09-2024                      Heard the parties.

2. The present writ petition has been preferred for the grant of following relief/s:-

*(i) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the requisition dated 2024 14.03.2019 submitted by 11 elected members of Block Panchayat Samiti, Manihari and addressed to the Respondent no.6 whereby and where under the requisitionists have made their grievance before the Respondent no.6 for consideration of No Confidence Motion against the petitioner.*

*(II) For a declaration that if for the purposes of moving the No Confidence Motion against the Pramukh or Up-*



*Pramukh, Section - 44 (3) (iv) of the Bihar Panchayat Raj Act, 2006 (herein after referred to as the Gram Panchayat Act) mandatorily requires that such reasons/charges on the basis of which the No Confidence Motion is being moved has to be clearly mentioned in the notice of special meeting, the impugned requisition dated 14.03.2024 is not a valid requisition in the eye of law and, therefore, no special meeting could be convened for consideration of No Confidence Motion against the petitioner in pursuance of the said requisition.*

*(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. At the outset, learned State counsel pointed out that resolution dated 14.03.2024 was withdrawn immediately within few days by the elected members on the ground that parliamentary election 2024 was announced on 16<sup>th</sup> of March,



2024 and this fact has not been brought under Court by the petitioner (Annexure A to the petition).

4. In that background, learned counsel for the petitioner prays to withdraw the petition with liberty to take further steps in accordance with law.

5. Granting such liberty, the present petition stands disposed of.

**(Rajiv Roy, J)**

Nirajkrs/-

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