

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.289 of 2024

In

Civil Writ Jurisdiction Case No.617 of 2024

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Shashi Kant Sharma Son of Sri Mohan Lal Sharma, Resident of Mohalla-Police Lince, Bhabhua, P.O. and P.S. Bhabhua, District - Kaimur at Bhabhua, the Block Development Officer Simri-cum- Executive Officer, Block Panchayat Samiti, Simri, District - Buxar.

... .. Appellant/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
3. The Director, Panchayat Raj Department, Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The Sub-Divisional Officer, Dumraon, District- Buxar(wrongly typed Gaya).
6. The District Panchayat Raj Officer, District Buxar.
7. The Block Panchayat Raj Officer Simri, District- Buxar.
8. Chandan Kumar Son of Subhash Kumar The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
9. Pramod Mishra Son of Kanhaiya Mishra The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
10. Asha Devi Wife of Bachan Mallah The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
11. Vijay Bin Son of Chhathu Bin The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
12. Santosh Yadav Son of Kesho Yadav The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
13. Sangeeta Kumari Wife of Nirmal Kumar Yadav The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
14. Pushpa Devi Wife of Om Prakash Singh The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District



-Buxar.

15. Dinesh Kumar Sahu Son of Sati Sahu The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
16. Moti Jhariya Devi Wife of Shiv Munni Yadav The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
17. Angad Kumar Singh Son of Ram Byas Singh The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
18. Sushila Devi Wife of Sayanarayan Dubey The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
19. Sima Devi Wife of Dinesh Singh The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
20. Anshu Kumari Wife of Rohit Kumar The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
21. Rachna Kumari Wife of Pintu Kumar Yadav The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
22. Pinki Devi Wife of Sri Bhagwan Singh The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
23. Ajay Kumar Ojha Son of Ramashankar Ojha The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
24. Surajwanti Devi Wife of Srinath Ram The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
25. Devkaliya Devi Wife of Yamuna Yadav The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
26. Virendra Paswan Son of Late Banwari Paswan The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil,



District -Buxar.

27. Subhash Gond Son of Bhimal Gond, The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
28. Manoj Kumar Ojha Son of Shambhu Nath Ojha The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
29. Bimlesh Kumar Rai Son of Shiv Kripal Rai The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
30. Deepak Kumar Son of Gopal Prasad The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
31. Chandan Kumar Son of Subhash Kumar The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
32. Kamlawati Devi Wife of Hareram Kunwar The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
33. Simpi Devi Wife of Surendra Kumar Paswan The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
34. Gayatri Devi Wife of Pankaj Dubey The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
35. Reema Rai Wife of Jay Prakash Rai The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
36. Puja Devi Wife of Sanjay Kumar Chaurasiya The elected members of Block Panchayat Samiti, Simri through the Block Development Officer -cum- Executive Officer, Block Panchayat Samiti, Simri, P.S. Muffasil, District -Buxar.
37. Priyanka Devi @ Priyanka Pathak W/o Niraj Kumar Pathak Resident of Village and P.O. Niyazipur, P.S. Simri, District- Buxar.

... .. Respondent/s

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Appearance :



For the Appellant/s : Mr.Awnish Kumar, Advocate
For the Respondent/s : Mr.Government Advocate 05

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 13-05-2024 The appellant, the Block Development Officer is aggrieved by the interim order passed insofar as an inquiry having been directed. We specifically notice Paragraph 4 of the order which is extracted hereunder:

4. The Additional Chief Secretary, General Administration Department, Government of Bihar is directed to conduct through inquiry with respect to the affairs of the Block Office, Simri, Buxar by calling for the official records to judge the conduct the Block Development Officer, Simri, Buxar. In case, he finds that the action is required on administrative side, then in that case, he is directed to seek show cause from the Block Development Officer, Simri, Buxar and submit the inquiry report before the parent Department.

2. There is no direction to carry out a departmental enquiry. The direction is only to the effect that after going through the records if the Additional Chief Secretary finds that action is required on the administrative side, he would proceed with it.

3. We think that there is absolutely no reason to entertain an appeal from the said order to the extent it directs the records to be sent to the Additional Chief Secretary and the



further directions therein.

4. The appeal stands dismissed with the above observation.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

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