

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11094 of 2022

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Anshu Kumari wife of Sri Rohit Kumar, resident of Village- Baghaur, Police Station- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
5. The District Magistrate, Lakhisarai.
6. The Deputy Development Commission, Lakhisarai.
7. The Chief Executive Officer, Zila Parishad, Lakhisarai.
8. The Accountant General, Birchand Patel Path, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. R. C. P. Bharti, Advocate
For the State	:	Mr. Prabhat Ranjan, AC to GP 6
For respondent no.7	:	Mr. Dinkar Raj Bhandari, Advocate
For the AG	:	Mr. Ram Yash Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 19-01-2024 Heard Mr. R. C. P. Bharti, learned counsels

 appearing on behalf of the petitioner; Mr. Prabhat Ranjan,

 learned AC to GP 6 for the State, Mr. Dinkar Raj Bhandari,

 learned counsel for respondent no.7 and and Mr. Ram Yash

 Singh, learned counsel for the Accountant General, Bihar.

Petitioner has filed the writ petition *inter alia* for
following relief(s):-

(I) For issuance of writ of mandamus



commanding the respondents for allotment of the fund allotted by 15th Finance Commission for the period 2022-2023 in terms of the guideline issued by Panchayati Raj Department vide Memo No.27 dated 13.09.2021 by which the money has to be allotted considering the Area & population of the Panchayati Raj Sanstha of the Zila Parishad.

(ii) For quashing of the proceeding dated 26.02.2022 of Zila Parishad, Lakhisarai on the ground that the meeting is not convened in terms of the Rule 72(i) of the Panchayati Raj Act, 2006 as the same has to be under the Chairmanship of the District Magistrate and it was convened under the Chairmanship of the President of the Zila Parishad.

(iii) For direction to the respondent to convene meeting within 3 months following the Rule 72(1) of the Panchayati Raj Act, 2006.

(iv) For the direction to the respondents for the transparency of the functioning of the Zila Parishad meeting of the Zila Parishad has to be done under Video recording.

(v) For the other relief for which petitioner is found entitled in the facts & circumstances of the case.”

Considering the reliefs, as sought for in the present writ petition, the petitioner may file a detailed representation before the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar for taking appropriate action against the District Magistrate-cum-Chairman as well as the President of the Zila Parishad in accordance with the provision contained under Section 70(5) of the Bihar Panchayat Raj Act,



2006.

The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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