

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12095 of 2024

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Lalbabu Paswan S/o- Late Raghunath Paswan, resident of Village-
Madhuban, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Director, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Chief Election Officer, East Champaran, Motihari.
4. The Sub-Divisional Officer, Pakadidayal, East Champaran .
5. The Block Development Officer-cum-Executive Officer, Panchayat Samittee, Madhuban, East Champaran.
6. Sri Mahesh Paswan, Prakhand Pramukh, Panchayat Samittee, Madhuban, East Champaran.
7. Sri Gajendra Singh. Prakhand Up Pramukh, Panchayat Samittee, Madhuban, East Champaran.
8. Smt. Karuna Devi, Member Panchayat Samittee, Area No. 01, Dulma, Madhuban, East Champaran.
9. Smt. Rambha Devi, Member Panchayat Samittee, Area No. 02, Dulma, Madhuban, East Champaran.
10. Smt. Chanda Devi, Member Panchayat Samittee, Area No. 03, Bhelwa, Madhuban, East Champaran.
11. Sri Rajesh Kumar, Member Panchayat Samittee, Area No. 04, Bhelwa, Madhuban, East Champaran.
12. Smt. Pramila Devi, Member Panchayat Samittee, Area No. 05, Rupani, Madhuban, East Champaran.
13. Smt. Ranju Devi, Member Panchayat Samittee, Area No. 06, Naurangiya Madhopur, Madhuban, East Champaran.
14. Sri Amrendra Kumar, Member Panchayat Samittee, Area No.- 08, Madhuban North, Madhuban, East Champaran.
15. Sri Sujay Kumar, Member Panchayat Samittee, Area No.- 10, Bajitpur, Madhuban, East Champaran.
16. Sri Virko Bhagat, Member Panchayat Samittee, Area No.- 11, Bajitpur, Madhuban, East Champaran.
17. Sri Meghnath Thakur, Member Panchayat Samittee, Area No.- 12, Koilahara, Madhuban, East Champaran.
18. Smt. Rina Devi, Member Panchayat Samittee, Area No.- 13, Sawangia, Madhuban, East Champaran.
19. Sri Nagendra Ram, Member Panchayat Samittee, Area No. 14, Garahiya, Madhuban, East Champaran.



- 20. Smt. Dropati Devi, Member Panchayat Samittee, Area No.- 15, Garahiya, Madhuban, East Champaran.
- 21. Smt. Sweety Kumari, Member Panchayat Samittee, Area No. 16, Krishna Nagar, Madhuban, East Champaran.
- 22. Smt. Kavita Devi, Member Panchayat Samittee, Area No. 18, Kauriya, Madhuban, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar,
Mr. Raj Shekhar, Advocates
For the Respondent/s : Mr. Sunil Kumar Mandal, Standing Counsel 3
Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-08-2024 Heard Mr. Raj Shekhar, learned counsel for the

petitioner and Mr. Sunil Kumar Mandal, learned Standing

Counsel-3.

2. The grievance of the petitioner is that a requisition was made for special meeting to consider ‘No Confidence Motion’ against the ‘Pramukh’ of Madhuban Block in the district of East Champaran. Accordingly, the meeting took place on 16.01.2024, the Executive Officer-cum-Block Development Officer, Madhuban, East Champaran after recording that between 10.30 AM to 1.30 PM, no elected member came in the meeting and as such, ‘No Confidence Motion’ could not be taken up and the proceeding was closed (Annexure P/2).

3. Learned counsel for the petitioner submits that though they were present, showing them as absent, the decision



has been taken.

4. Learned SC-3 submits that there is nothing on record to show nor the proceeding confirms that any one was present in the said meeting. He further submits that the concluding part is very clear that the 'Motion' was neither passed nor defeated and in that background, nothing remains so far as the special meeting dated 16.01.2024 is concerned.

5. This Court finds force in the submission of learned Standing Counsel-3. The Executive Officer-cum-Block Development Officer, Madhuban, East Champaran has merely recorded that 'No Confidence Motion' came to an end and the proceeding was closed. There is no further development on the part of the elected members inasmuch as it is not their case that they made a fresh requisition for a special meeting to discuss the 'No Confidence Motion' against the said 'Pramukh' and there was any refusal warranting any interference.

6. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

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