

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.980 of 2024

In

Civil Writ Jurisdiction Case No.3076 of 2024

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Usha Devi @ Usha Wife of Vihari Mishra, Resident of Village and P.O.-
Jogia, P.S.- Brahmpur, District- Buxar, Ex-Pramukh of Block Panchayat
Samiti Brahmpur, District- Buxar.

... .. Appellant/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, Buxar, District- Buxar.
4. The District Panchayat Raj Officer, Buxar, District- Buxar.
5. The Sub-Divisional Officer, Dumraon, District- Buxar.
6. The Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Brahmpur, District- Buxar.
7. The Block Panchayat Raj Officer, Brahmpur, District- Buxar.
8. Smt. Shivratri Devi wife of not known to the appellant, Presently Up-Pramukh of Block Panchayat Samiti, Brahmpur, P.O. and P.S.- Brahmpur, District- Buxar.
9. Mangri Devi, Wife of not known to the appellant,
10. Pratibha Devi, Wife of not known to the appellant,
11. Gayatri Devi, Wife of not known to the appellant,
12. Nagendra Singh, Son of not known to the appellant,
13. Anju Kumari, Wife of not known to the appellant,
14. Rama Shankar Tiwary, Son of not known to the appellant,
15. Ramavatar Thakur, Son of not known to the appellant,
16. Deo Narayan Ram, Son of not known to the appellant,
17. Arvind Pal, Son of not known to the appellant,
18. Munni Kumari, Wife of not known to the appellant,
19. Kanchan Kumar, Wife of not known to the appellant,
20. Bindu Devi, Wife of not known to the appellant,
21. Soni Devi, Wife of not known to the appellant,
22. Lakshmi Devi, Wife of not known to the appellant,
23. Ripu Devi, Wife of not known to the appellant,
24. Mira Singh, Wife of not known to the appellant,
25. Asha Devi, Wife of not known to the appellant,
26. Sima Kumari, Wife of not known to the appellant,



- 27. Pramila Devi, Wife of not known to the appellant,
- 28. Harendra Pandey, Son of not known to the appellant,
- 29. Sanjay Kumar Pandey, Son of not known to the appellant,
- 30. Gunja Kumari, Wife of not known to the appellant,
Respondent nos.9 to 30 are the Elected Members of Block Panchayat Samiti, Brahmpur through the Block Development Officer-cum-Executive Officer, Block Panchayat Samiti, Brahmpur, P.O and P.S.- Brahmpur, District- Buxar.
- 31. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
- 32. The Secretary, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. S.B.K. Mangalam, Advocate
Mr. Awnish Kumar, Advocate
For the State : Mr. Ajay, G.A.5
For the Res. Nos.12, 17, 24 & 25 : Mr. Amit Shrivastava, Sr. Advocate
Mr. Ranjeet Choubey, Advocate
For the State Election Commission: Mr. Ravi Ranjan, Advocate
Mr. Girish Pandey, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 05-10-2024 After arguing the matter for sometime, we were not convinced that the appellant’s contention could be accepted.

2. In that circumstances, the learned Counsel for the appellant sought for withdrawal of the appeal. It is also submitted that the appellant does not now challenge the removal on the appellant, by way of a No-Confidence Motion, raised in the appeal.

3. In such circumstances, the result of the election conducted on 26.09.2024 shall be published. The appellant



would not be entitled to challenge that election.

4. The appeal is dismissed as withdrawn.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Saurabh/-

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