

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.696 of 2025
In
Civil Writ Jurisdiction Case No.1789 of 2024

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Ravi Kumar Mahto, son of Ram Ekbal Mahto, resident of village- Laguraon,
P.S. Mahua, District Vaishali at Hajipur, presently Mukhiya of Laguraon
Bilandpur Panchayat, Block - Rajapakar, District - Vaishali at Hajipur.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj,
Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj, Government of Bihar, Patna.
3. Director, Panchayati Raj, Government of Bihar, Patna.
4. Deputy Director, Panchayati Raj Department, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Vaishali at Hajipur.
6. The District Panchayat Raj Officer, Vaishali at Hajipur.
7. The Deputy Development Commissioner, Vaishali at Hajipur.
8. Block Development Officer-cum- Block Panchayati Raj Officer, Rajapakar,
Vaishali at Hajipur.
9. The Additional Chief Secretary, Panchayati Raj Department, Bihar, Patna.
10. Lok Prahari-cum- Commissioner, Tirhut Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. S.B.K. Manglam, Advocate Mr. Awnish Kumar, Advocate Mr. Kumar Gaurav, Advocate Mr. Vikash Kumar Singh, Advocate
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-07-2025

Heard Mr. S.B.K. Manglam, learned counsel for the
appellant/petitioner and Mr. Alok Ranjan, learned counsel for
the State.



2. The present Letters Patent Appeal has been filed under provisions of Clause 10 of the Letters Patent of the Patna High Court Rules challenging the order dated 07.07.2025 passed by learned Single Judge in I.A. No. 03 of 2025, filed in CWJC No. 1789 of 2024, whereby the learned Single Judge has rejected I.A. No. 03 of 2025.

3. At the outset, it is required to be observed that the present appellant has filed CWJC No. 1789 of 2024 in which the appellant/petitioner has prayed for setting aside the letter dated 11.12.2023, issued under the signature of Sub Divisional Officer, Mahua, Vaishali at Hajipur, whereby and whereunder the said authority has recommended the District Magistrate, Vaishali at Hajipur to take action against the petitioner under Section 18 (5) of Bihar Panchayat Raj Act, 2006. Petitioner has also challenged letter dated 19.12.2023, issued under the signature of District Magistrate, Vaishali at Hajipur whereby he has recommended the Commissioner, Tirhut Division, Muzaffarpur for taking action against the petitioner under the aforesaid provision.

4. It is required to be observed at this stage that as this Court did not grant any interim relief in favour of the petitioner in the main writ petition, the concerned respondent authority



proceeded with the matter and ultimately Lok Prahari recommended for removal of the petitioner from the post of Mukhiya on 13.04.2024 and on the basis of the recommendation made by Lok Prahari now order dated 07.08.2024 has been passed by Respondent No. 2 whereby the appellant/original petitioner has been removed from his post.

5. From the record, it appears that appellant/petitioner filed I.A. Nos. 1 of 2024, 2 of 2025 and 3 of 2025 in the main writ petition and tried to bring on record the subsequent development which had taken place during the pendency of the writ petition. The learned Single Judge passed orders in the said Interlocutory Applications filed by the appellant/petitioner.

6. Learned counsel for the appellant/petitioner seeks permission to withdraw the present appeal with a view to challenge the orders dated 13.04.2024 as well as 07.08.2024 passed by the respondent authorities, by filing separate petition. It is also submitted that he will also withdraw the main writ petition being CWJC No. 1789 of 2024.

7. We permit the appellant herein to withdraw the aforesaid petition. We also at the same time permit the appellant to withdraw the present appeal by granting liberty to the appellant/petitioner to challenge the aforesaid two orders passed



by the concerned respondent authorities. It is further observed that as and when the fresh petition/proceeding is filed by the appellant/petitioner challenging the aforesaid orders, the same shall be examined on its own merits without being influenced by the orders passed in I.A. Nos. 1 of 2024, 2 of 2025 and 3 of 2025 in the main writ petition.

8. It is always open for the appellant/petitioner to challenge the by-election held for the post of Mukhiya, which the appellant/petitioner was holding before his removal. As and when any proceeding is taken by the appellant/petitioner, the same shall be examined on its own merits. We have not gone into the merits of the matter.

9. With the aforesaid observation and liberty, this appeal stands disposed of as withdrawn.

(Vipul M. Pancholi, CJ)

(Partha Sarthy, J)

P.K.P./Aditya

AFR/NAFR	
CAV DATE	
Uploading Date	28.07.2025
Transmission Date	

