

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1401 of 2026

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Ramesh Manjhi son of Sukeshwar Manjhi resident of Village- Hansopur P.S-
Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Addl. Chief Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Lok Prahari -cum-Divisional Commissioner, Darbhanga Commissionerate, Darbhanga.
3. The District Magistrate, Samastipur.
4. The District Panchayati Raj Officer, Samastipur.
5. The Block Panchayati Raj Officer, Khanpur Block, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Respondent/state : Mr. Ajay Behari Sinha, Government Advocate 08

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-02-2026

1. Heard the parties.

2. The petitioner has filed the present writ application for quashing the order dated 19.09.2025 passed by the Lok Prahari -cum- Divisional Commissioner, Darbhanga, which has been communicated to the petitioner vide Memo No. 18 dated 14.10.2025 whereby recommendation has been made to the competent authority to remove the petitioner from the post of Mukhiya, Gram Panchayat Raj Shripur Gahar West, Block-Khanpur, District-Samastipur.

3. Learned counsel for the State submits that the present writ application is premature inasmuch as at the time of enquiry



by the Lok Prahari adequate opportunity was given to the petitioner, and thereafter, Lok Prahari has recommended for removal of the petitioner. Section 18(5) of the Bihar Panchayat Raj Act, 2006 provides that the competent authority i.e. Secretary, Panchayati Raj Department shall take final decision after giving Mukhiya a reasonable opportunity for explanation before passing final order of removal of Mukhiya.

4. Having considered the submission made by the parties and taking into consideration the fact that final decision for removal shall be taken by the Secretary, Panchayati Raj Department, the present writ application is disposed with a direction to the Secretary, Panchayati Raj Department to take a final decision upon the recommendation of the Lok Prahari after giving proper opportunity to the petitioner to submit his objection / explanation and after considering the same pass final order in the matter within a period of two months from the date of receipt / production of a copy of this order.

(Anil Kumar Sinha, J)

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