



2026:PATHC:40263

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5320 of 2026

Neelam Devi Wife of Naresh Chandra, Resident of Fatehganjpur, PO Sabalpur, PS Nadi, District Patna, Bihar 800009, Presently Pramukh, Patna Sadar block Panchayat samiti, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. State Election Commission, Bihar, Patna through its Secretary, State Election Commission, Sone Bhawan, Veer Chand Patel Path, Patna.
4. District Magistrate-cum-District Election Officer (Panchayat), Patna.
5. Sub-Divisional Officer, Patna, District Patna.
6. Block Development Officer, Patna Sadar-cum-Executive Officer, Patna Sadar Block Panchayat Samiti, District Patna.
7. Maya Devi, Wife of Paras Nath, presently UP Pramukh, Patna Sadar Block Panchayat samiti, District Patna.
8. Vidya Prasad, Son of Prabhunath Rai, presently member from territorial constituency no. 1, Patna Sadar Block Panchayat samiti, District Patna.
9. Chandan Kumar, Son of Dharam Raj Rai, presently member from territorial constituency no. 2, Patna Sadar Block Panchayat samiti, District Patna.
10. Satya Narayan Chaudhary, Son of Shyam Babu Chaudhary, presently member from territorial constituency no. 10, Patna Sadar Block Panchayat samiti, District Patna.
11. Urmila Devi, wife of Krishna Pandit, presently member from territorial constituency no. 11, Patna Sadar Block Panchayat samiti, District Patna.
12. Chandni Devi, wife of Deepak Kumar, presently member from territorial constituency no. 12, Patna Sadar Block Panchayat samiti, District Patna.
13. Lallan Kumar Singh, Son of Ramashish Singh, presently member from territorial constituency no. 13, Patna Sadar Block Panchayat samiti, District Patna.
14. Amarjeet Kumar, Son of Late Rampravesh Singh, presently member from territorial constituency no. 14, Patna Sadar Block Panchayat samiti, District Patna.
15. Kailash Prasad, Son of Laldev Prasad, presently member from territorial constituency no. 15, Patna Sadar Block Panchayat samiti, District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gaurang Darshan Dixit, Advocate
Mr. Parijat Saurav, Advocate





For the Respondent/s : Mr. Standing Counsel (21)
Mr. Ravi Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-04-2026

Heard learned counsel for the parties.

2. The petitioner has filed the instant application for the following relief(s):

“i. For issuance of an appropriate writ in the nature of CERTIORARI, for quashing the requisition dated NIL which was submitted by five elected members of the Block Panchayat Samiti, Patna Sadar in the office of the Respondent No. 6 in which a request has been made to convene the special meeting of the Block Panchayat Samiti, Patna Sadar to consider the NO CONFIDENCE MOTION against the petitioner on the ground that neither said requisition is a legal and valid requisition in the eye of law nor other mandatory statutory requirements of provisions contained under Subsection 3 (i) of section 44 of the Bihar Panchayat Raj Act, 2006(herein after to be referred as the Act, 2006) has been followed in as much as statute stipulates for presentation of such requisition before the Pramukh with a copy to the executive officer, the said requisition submitted directly in the office of Respondent No. 6 without presenting it before the petitioner in compliance of the procedure prescribed under Sub-Section 3(i) of section 44 of the Gram Panchayat Act hence same is illegal and fit to be rejected.

ii. For issuance of an appropriate writ in the nature of CERTIORARI, for quashing the notice





contained in letter no. 749 dated 07-03-2026 issued under the authority of Respondent No. 6 whereby and where under all the elected members of the Block Panchayat Samiti, Patna Sadar were informed that special meeting for consideration of NO CONFIDENCE MOTION as against the writ petitioner, will be held on 14-03-2026, on the ground that neither the said illegal requisition can be acted upon nor such requisition can be acted upon by the elected members prior to expiry of statutory period of 15 days of receipt of said requisition to the concerned Pramukh.

iii. For issuance of an appropriate writ in the nature of ad-interim stay as against the notice dated 07-03-2026 as also proposed special meeting dated 14-03-2026 on the ground that both the notice as also the consequent meeting is illegal in the eyes of law and thus no validity can be assigned to same.

iv. For issuance of an appropriate writ in the nature of Mandamus or any other similar writ of similar nature, commanding and directing the Respondent authorities not to act on illegal requisition and the notice dated 07-03-2026 on the ground that the said requisition has been filed within statutory ban of 2 years which is not allowed and additionally the date of special meeting has been fixed prior to lapse of 15 days period which is being given to the Pramukh under the scheme of the Act, 2006.

v. For a declaration that if statute prescribes a particular act to be done in a particular manner it should be done in that manner alone or not at all and any other mode is not only necessarily prohibited but also constitute illegality.





vi. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner is entitled under the facts and circumstances of the case.”

3. Learned counsel for the petitioner prays for withdrawal of the instant application in view of the prayer made herein having become infructuous.

4. In view of the above, the writ application is dismissed as withdrawn.

(Partha Sarthy, J)

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