

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1789 of 2024**

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Ravi Kumar Mahto

... .. Petitioner/s

Versus

The State of Bihar & Ors

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. S.B.K. Mangalam, Adv

Mr. Dhananjai Kumar Singh, Adv

For the Respondent/s : Ms. Deepika Sharma, AC to Standing Counsel (15)

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

7 07-07-2025

**Re: I.A. No. 03 of 2025.**

Heard learned counsel appearing for the petitioner and learned counsel Ms. Deepika Sharma for the State.

2. In the present interlocutory application, the petitioner has prayed for additional reliefs to be considered as part of the prayer made in the writ application. The additional reliefs prayed for by the petitioner is outlined in paragraph 6 of this interlocutory application, which is quoted hereinbelow for needful: -

*(A) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 13.04.2024 passed by the Divisional Commission, Muzaffarpur cum- Lok Prahari in Lok Prahari Case No. 01 of 2024 whereby and where under the Respondent Lok Prahari had recommended for action against the petitioner*



*under Section 18(5) of the Bihar Panchayat Raj Act, 2006 (hereinafter referred to as the Gram Panchayat Act).*

*(B) For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 06.08.2024 passed by the Respondent no.2 and communicated under memo no.7215 dated 07. 08.2024, whereby and where under the Respondent no.2 has been pleased to remove the petitioner from his elected post of Mukhiya of Gram Panchayat Raj. Laguraon Bilandpur in view of the recommendation of the Divisional Commissioner-cum- Lok Prahari, Tirhut Division, Muzaffarpur.*

*(C) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities for reinstatement of the petitioner to his elected post from which the petitioner was illegally removed by the Respondent no.2 on the recommendation of Respondent Divisional Commissioner -cum- Lok Prahari, Tirhut Division, Muzaffarpur and for any other appropriate writ/writs, order/orders, direction/ directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.*

*(D) The petitioner would seek leave of this Hon'ble Court to implead the State Election Commission, Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner as*



*the party Respondent no.11 in the main writ petition.*

3. Further, in paragraph 25 of this interlocutory application, the petitioner has also prayed for stay of notification dated 09.06.2025 issued by the State Election Commission for holding bi- election to the post of Mukhiya of the Gram Panchayat.

4. Earlier vide I.A. No. 01 of 2024, the petitioner had also prayed for grant of additional reliefs to be considered as part of the prayer made in the main writ petition and the additional reliefs prayed for through the said interlocutory application was outlined in paragraph 1 of I.A. No. 01 of 2024. The entire paragraph 1 of I.A. No. 01 of 2024 is quoted hereinbelow for needful:

*1. That, present interlocutory application on behalf of above named Petitioner is being preferred before this Hon'ble Court, for permitting him to implead 1. Lok Prahari Cum Commissioner, Tirhut Division, Muzaffarpur and 2. Additional Chief Secretary, Panchayati Raj, Department Govt. of Bihar Patna as Respondent No. 9 and 10 respectively, as well as for addition of Relief (s) in Para 1 to the Main Writ Petition, which runs as follows:-*

*VIII. For Setting Aside the order dt.*



*13.4.2024 passed by Respondent No. 9 in Lok Prahari Case No. 01/2024, by which he has recommended for removal of Petitioner from Post of Mukhiya under section 18(5) of Bihar Gram Panchayat Raj Act, 2006.*

*IX. For setting aside the order dt. 7.8.2024, contained in Memo No. 7215/ dt. 7.8.2024, issued under the signature of Addl. Chief Secretary, Panchayati Raj Department, Govt. of Bihar, Patna, by which he has been pleased to remove the Petitioner from the Post of Mukhiya, as well as prohibiting him from contesting election for further five Years, during the pendency of this Writ Petition.*

5. This interlocutory application no. 01 of 2024 was heard and allowed vide order dated 13.08.2024 only to the extent of allowing impleadment of respondent no. 9 and 10. Therefore, deeminglly the other prayers were not allowed.

6. Thereafter, another interlocutory application was filed by the petitioner bearing I.A. No. 02 of 2025 in which three specific prayers were made.

(i) For stay of order dated 07.08.2024 passed by Additional Chief Secretary by which the petitioner had been removed from the post of Mukhiya.

(ii) For impleading the State Election Commission.

(iii) For restraining the State Election Commission to



hold bi-election.

7. This I.A. No. 02 of 2025 was rejected on 30.06.2025 for the reasons as given in the said order.

8. Now, after the rejection of I.A. No. 02 of 2025 and after the order dated 13.08.2024 allowing I.A. No. 01 of 2024 only to the extent of allowing the impleadment of respondent nos. 9 and 10, this third interlocutory application has been filed vide I.A. No. 03 of 2025. The additional prayers made in this interlocutory application are covered by the earlier two interlocutory applications, which have already been disposed of. Under such circumstances, it will not be proper for this Court to entertain this third interlocutory application reagitating the same prayer made in the earlier two interlocutory applications, which have been considered and disposed of by this Court. For these reasons, the I.A. No. 03 of 2025 is also rejected.

**Re: CWJC No. 1789 of 2024.**

9. Put up this case on 28.07.2025 under appropriate heading.

**(Alok Kumar Sinha, J)**

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