

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21498 of 2011

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Sweta Devi, wife of Bipin Kumar, resident of Village- Sondiha, P.O.- Chutiya, P.S.- Shambhuganj, District- Banka, Presently Member of Block Panchayat Samiti, Shambhuganj, District- Banka

.... Petitioner

Versus

1. The State Election Commission (Panchayat) Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner
2. The State Election Commissioner, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna
3. The Secretary, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna
4. The District Election Officer (Panchayat)-Cum-District Magistrate Banka, District- Banka
5. The Director, National Employment Scheme, District Rural Development Agency, Banka, District- Banka
6. The Sub-Divisional Officer, Banka-Cum-Returning Officer of Election of Pramukh of Block Panchayat Samiti Shambhuganj, District- Banka
7. Smt. Nitu Singh, wife of Yadu Nandan Singh, resident of Village- Gari Mohanpur, P.O.- Paukri, P.S.- Shambhuganj, District- Banka, Presently Pramukh of Block Panchayat Samiti, Shambhuganj, P.O. and P.S.- Shambhuganj, District- Banka

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Advocate
For the Respondent/s : Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 13-07-2015 The grievance of the petitioner is that her complaint was dismissed by order dated 01.09.2011 by respondent no.4 without providing an opportunity of hearing, as prescribed under the law. In support of her submission, she has referred to guidelines prescribed by the State Election Commission under Section 40(4) of the Bihar Panchayat Raj Act, 2006 (Annexure-4).

In view of nature of the relief sought for, it may not

be necessary to notice respondent no.7.

In case, the petitioner renew her complaint before respondent no.4, he would pass a fresh order in accordance with law after providing an opportunity of hearing to both the parties without being prejudiced by the earlier order.

This Court has not expressed any opinion on the merit of the case.

The order dated 01.09.2011 (Annexure-7) remain in abeyance.

(Samarendra Pratap Singh, J.)

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