

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23318 of 2011

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Girish Yadav son of Sri Somar Yadav, resident of Village-Bhelu Bigha under Gram Panchayat-Kako East, Post Office-Waina, P.S. & Block-Kako, Distt.-Jehanabad

.... Petitioner

Versus

1. The State of Bihar.
2. The State Election Commission through its Secretary, Soan Bhawan, Bir Chand Patel Path, Patna.
3. The District Magistrate, Jehanabad-Cum-District Returning Officer, Jehanabad
4. The District Panchayat Officer, Jehanabad.
5. The Returning Officer Gram Panchayat Kako East, P.S. & Block-Kako, Distt.-Jehanabad.
6. The Block Development Officer, Kako, Distt.-Jehanabad.
7. Susrbilia Kumari wife of Surendra Kumar resident of Village Pahal Bigha, under Gram Panchayat-Kako East, P.S. & Block-Kako, Distt.-Jehanabad.

.... Respondents

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Appearance :

For the Petitioner	: Mr. Jitendra Kumar Roy, Advocate
For the State	: Mr. Sidharth Prasad, A.C. to AAG IV
For the State Election Commission	: M/s R.S. Pradhan, Senior Advocate Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 20-08-2015 Petitioner has filed this writ application for a direction to the Bihar State Election Commission for removing the respondent no.7 from the post of Mukhiya of Kako East Gram Panchayat on the ground that he failed to subscribe oath within the stipulated period, i.e., three months for the post of Mukhiya and for further direction that the petitioner, who is Up-Mukhiya, be allowed to discharge the duty of Mukhiya. However, it is also contended in paragraph-13 of the writ petition that petitioner has

filed a miscellaneous case for the self same relief which stands discussed in Annexure-11 dated 25th November, 2011 but it is contended that no decision has been taken by the State Election Commission. The petitioner claims that he has not been given any opportunity till date by the Election Commission to appear and press his application.

It is regretted that the matter has been kept pending for a long period by the State Election Commission.

Be that as it may, let the same be disposed of, on its own merit and in accordance with law within a period of eight weeks after granting reasonable opportunity to all the concerned.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

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