

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14648 of 2014

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1. Raju Sinha Son of Sri Baktesh Chaudhary resident of Mohalla - Santoshi
Maa Path, Lane No. 11-G, Gorkshi, Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. Sasaram Nagar Parishad Sasaram through the Municipal Executive Officer.
4. The Chief Councilor, Sasaram Nagar Parishad, Sasaram, District Rohtas at Sasaram.
5. Sri Atendra Kumar Singh, Ward Councilor of Ward No. 34 of Sasaram Nagar Parishad Sasaram at Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Adv.

For the Respondent/s : Mr. Ashok Kumar Keshri, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 02-11-2015 None appears on behalf of the petitioner.

Learned counsel for the State is present.

Perused the records. The petitioner prays for disqualification of the private respondent in the light of the provisions of Section 18(1) and 18(2) of the Bihar Municipal Act, 2007 (hereinafter referred to as 'the Act') for according to the petitioner the private respondent is not qualified for the post of Councillor. The pleadings on record manifests that no such complain has been made by the petitioner before the State Election Commission as mandated under Section 18(2) of 'the Act'.

In view of the forum so available to the petitioner under Section 18(2) of ‘the Act’ and considering that the petitioner has failed to exhaust the remedy so available to him, the writ petition is disposed of accordingly.

(Jyoti Saran, J)

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