

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7682 of 2014

=====

Niranjan Singh @ Niranjan Mandal (Ex. Mukhia, Lattipur- South Gram Panchayat), S/o Late Upendra Singh, resident of village- Jamaldipur, P.S-Bihpur, District- Bhagalpur, through Khadeni Devi, W/o Niranjan Singh @ Niranjan Mandal.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. State Election Commission through, Election Commissioner, Bihar, Patna.
3. District Magistrate Cum District Election Officer, (Panchayat) Bhagalpur.
4. District Panchayat Raj Officer, Bhagalpur.
5. Shiv Nandan Jha, S/o Late Chedi Jha, R/o Village Gauripur, P.S-Bihpur, District- Bhagalpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. R.R. K Pandey, SC-29
For State Election Commission: Mr. Sanjeev Nikesh

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-05-2015 None appears on behalf of the petitioner. Counsel for the State and Mr. Sanjeev Nikesh, learned counsel appearing for the State Election Commission are present.

The petitioner has questioned the order dated 21.2.2014 passed by the Election Commissioner in Case No.28 of 2013, whereby the petitioner has been disqualified to hold the post of Mukhiya consequent upon his conviction in a criminal case arising from Gopalpur (Ragra) P.S. Case No.375 of 2011 and has been sentenced to three years RI together with fine of Rs.5,000/- .

Mr. Sanjeev Nikesh, learned counsel appearing for the State Election Commission with reference to the order-sheet in the election case has submitted that the petitioner is involved in 8 criminal cases and has been convicted in one of them and thus under section 136(g) of the Bihar Panchayat Raj Act, 2006 he has been disqualified to hold the post and thus the order impugned suffers from no infirmity.

I am in agreement with the submission of learned counsel which is supported by the statutory provisions.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--