

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1112 of 2016

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1. Shukhdeo Singh son of Late Laxmi Singh
 2. Ramapati Singh son of Late Sadho Singh
 3. Amin Singh son of Late Doman Singh
 4. Ramashish Singh son of Late Dhanushdhari Singh All are resident of Village - Pawai, P.S. Surajgarha, District - Sheikhpura.
 5. Shaligram Singh son of Late Ayodhya Singh resident of Village - Jajbara, P.S. - Surajgarha, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Rural Development Department, Govt. of Bihar, Patna.
2. The Director Panchayati Raj, Govt. of Bihar, Patna.
3. The State Election Commission through the Commissioner the State Election Commission, Bihar, Patna.
4. The Secretary, State Election Commission, Bihar, Patna.
5. The Joint State Election Commission Bihar State Election Commission, Bihar, Patna.
6. The District Magistrate-Cum-District Election Officer (Panchayat), District - Lakhisarai.
7. The Block Development Officer, Surajgarha, District - Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv.
For the Respondent/s : Mr. Smt. Geeta Kumari- GP-28

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-01-2016 Heard learned counsel for the parties.

The delimitation/reorganization of the Panchayat entirely rests with the State Election Commission in consultation with the District Magistrate concerned.

The petitioner had raised this issue earlier and a Bench of this Court vide order passed in C.W.J.C. No. 9512 of 2016 gave liberty to the petitioner to raise his grievance before appropriate authority at the appropriate time which was to be disposed of in

accordance with law. The order passed in writ petition is dated 24.1.2007 and the petitioner has again chosen to raise his grievance 7 years thereafter and prays to bifurcate the villages forming the Gram Panchayat, Pawai which presently forms a part of Gram Panchayat, Saidpura. The only reason assigned is the distance of the headquarters of the Gram Panchayat from the villages Pawai which according to Mr. Devendra Kumar Prasad Singh is after crossing two rivers.

Be that as it may, that there is already an order of a writ Court giving liberty to the petitioner to raise his grievance before the appropriate authority and following which a representation has been filed before the State Election Commission, the non disposal thereof cannot give a liberty to the petitioner to file a second writ petition rather the remedy would lie before another forum.

The writ petition is disposed of accordingly. This order would not preclude the State Election Commission to dispose of the representation so filed by the petitioners.

(Jyoti Saran, J)

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