

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17631 of 2014

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Shatrughn Ray, son of Late Rameshwar Ray, resident of village-Rasoolpur
Maniyari, P.S. Sakara, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Muzaffarpur
2. The Block Development Officer cum Block Election Officer, Sakara,
District-Muzaffarpur
3. The Block Co-operative Extension Officer, Sakara, Muzaffarpur
4. Sita Ram Rai, son of Sri Khub Lal Rai, resident of village-
Rasoolmaniyari, P.S. Sakara, District-Muzaffarpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Respondent/s : Smt. Binita Singh, G.P.-31

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

4 11-01-2016

Heard the parties

The nomination of the petitioner was cancelled. According to the petitioner the same was not communicated. A counter affidavit has been filed enclosing the opinion of the Returning Officer rejecting the nomination of the petitioner *inter alia* on grounds that he was a co-opted member.

In the circumstances and in view of the statutory prescriptions underlying Section 12 of the Bihar Election Authority Act, 2008, the remedy for the petitioner would lie before the prescribed authority under the said Act read with the provisions of the Bihar Cooperative Societies Act and the Rules framed thereunder. The petitioner, if so advised, may take

recourse to the statutory remedy so available to him in law for questioning the rejection of his nomination.

The writ petition is disposed of.

(Jyoti Saran, J)

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