

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2332 of 2016

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Rakesh Kumar Singh, son of late Mithesh Kumar Singh, resident of Village- Samartha, P.S.- Bibhutipur Panchayat, Bibhutipur, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Panchayat Raj Department, Bihar, Patna.
2. The Bihar State Election Commission through the State Election Commissioner, Bihar, Patna.
3. The Secretary, Panchayat Raj Department, Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The District Panchayat Raj Officer, Samastipur.
6. The Block Development Officer, Bibhutipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Respondent-State : Ms. Kumari Amrita, GP-10
For the Respondent-SEC : Mr. Amit Shrivastava

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 08-02-2016 Mr. Mukesh Kumar No.1, learned counsel appearing for the petitioner, Counsel for the State and Mr. Amit Shrivastava, learned counsel appearing for the State Election Commission are present and have been heard.

Although Mr. Mukesh Kumar No.1, learned counsel appearing for the petitioner while referring to the list of territorial electoral constituencies published under Rule 8 of the Bihar Panchayat Election Rules, 2006 framed under the Bihar Panchayat Raj Act, 2006 present at Annexure-2 at page 12 in so far as it relates to serial no.29 has sought to canvass that the Kalyanpur South constituency consists of two regional

constituencies at Kalyanpur Bombaiya which has 1675 persons belonging to scheduled caste category and 593 in so far as other regional constituency of Samartha is concerned but the publication at page no.14 which gives ward wise population is not correct. With reference to the population of ward no.1 to 7 he submits that the population of person in Scheduled Caste category falls far below.

In my opinion the argument is contrary to the figures on record. While serial no.29 at page 12 gives a comprehensive position of the people falling in scheduled caste category in Kalyanpur South Constituency the ward wise details thereof is at page 14 and at either places the population of the scheduled caste reads 2268. No case for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

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