

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5464 of 2016

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Asesar Ram, son of late Ram Gulam Ram, resident of village/PO/PS-Patahi,
District East Champaran at Motihari, PIN 845457.

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna
3. The State Election Commission(Panchayat), through the State Election Commissioner
4. The State Election Commission (Panchayat), through the Secretary, Sone Bhawan, Birchand Patel Path, Patna
5. The Director, Panchayati Raj Department, Government of Bihar Patna
6. The District Magistrate-cum-District Election Officer (Panchayat), East Champaran at Motihari
7. The Block Development Officer, Patahi Block, East Champaran at Motihari

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Chandra Shekhar Azad, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha, G.A.9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-03-2016 Learned counsel for the parties are present.

The petitioner prays for appropriate writ, order or direction for reserving the post of Mukhiya, Patahi East Gram Panchayat in the district of East Champaran to the Scheduled Caste Category in place of the general category.

The issue as regarding categorization of the territorial constituencies and the procedure followed by the State Election

Commission on the issue came up for consideration in a batch of cases arising from C.W.J.C.No.2445 of 2016 and this Court by a judgment passed on 18.3.2016 has upheld the procedures followed by the Commission in categorization of the territorial constituency.

No cause for indulgence thus is made out. However, any applicability of this procedure can only be a subject matter of an election petition and not a writ petition. The writ petitioner if so advised may take recourse therewith.

The writ petition is disposed of.

(Jyoti Saran, J)

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