

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5569 of 2016

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Amerika Devi, wife of Yamuna Prasad Choudhary, resident of village-
Barhi, P.S. Jay Nagar, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, State of Bihar
2. The Chief Secretary of Bihar, Patna
3. Through the Secretary, Election Commission, Bihar, Patna
4. Panchayat Rajya Officer, State of Bihar, Patna
5. The Collector, Madhubani
6. Block Development Officer, Jay Nagar, District-Madhubani

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Nawal Kishore Singh, SC-2
For the State E.C. : Mr. Amit Shrivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-03-2016 Heard.

The petitioner is aggrieved by the reservation of the post of Mukhiya, Gram Panchayat Barhi in the district of Madhubani in favour of Scheduled Caste category which according to the petitioner should go to the general category women.

The issue of categorization of the territorial constituency was considered by this Court in CWJC No. 2445 of 2016 and other analogous cases and this Court has recorded satisfaction on the procedure followed by the Commission. Further any grievance regarding an incorrect application of the procedure

adopted by the State Election Commission in respect of categorization of any constituency cannot be a subject matter of a writ proceeding. The petitioner, if so advised, may take recourse to the forum so available to him in law.

In the aforementioned view of the matter, no cause for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

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