

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6524 of 2016

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1. Mukesh Kumar son of Gangotri Prasad Singh, resident of village Gahilo, P.S. Saraiya, District Muzaffarpur.
 2. Krishna Kumar, son of Vijay Kumar Singh, resident of village Gahilo, P.S. Saraiya, District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
 2. The District Magistrate-cum-Collector, Muzaffarpur, District Muzaffarpur
 3. The State Election Commissioner, R.Block, Sone Bhawan, 3rd Floor, Patna
 4. The Block Development Officer-cum-Assitant Election Returning Officer, Saraiya, District Muzaffarpur
 5. The Panchayat Secretary, Gram Panchayat Raj Khaira, P.S. Saraiya, District Muzaffarpur
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Mr. M.K.Pathak, S.C.7
For the S.E.C. : Mr. Amit Srivastava, Adv.
Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-04-2016 Heard Mr. Shashi Bhushan Singh, learned counsel for the petitioners, learned counsel for the State and learned counsel for the State Election Commission.

The limited grievance raised by the petitioners herein is that their wards along with their family members have been changed. The details of the irregularities stands discussed in paragraph 4 of the writ petition.

It is argued by Mr. Singh that whereas the petitioner No.1, Mukesh Kumar remains in Ward No.5, his wife Sumila Devi has

been shifted to Ward No.6 and similar irregularities have been pointed out in respect of petitioner No.2 and his family members.

Mr. Singh has invited the attention of this Court towards the representation present at Annexures-2 and 2/1 to submit that brother of the petitioner No.1 has represented before the District Magistrate together with the list of persons whose names have been wrongly transferred from ward No.5 to ward No.6 but to no avail hence this writ petition. He submits that in similar circumstances some others had approached this Court in C.W.J.C.No.4980 of 2016 and upon a direction issued to the District Magistrate, Muzaffarpur who also happens to be the District Election Officer (Panchayat) that the error has been rectified.

Having heard learned counsel for the parties and considering the limited grievance raised herein, I deem it fit and proper to direct the District Magistrate, Muzaffarpur-cum-District Election Officer (Panchayat) to consider the grievance of the petitioners and take appropriate steps for restoration of the wards of the persons whose names finds mention in Annexure-2/1 which is stated to be in tune with the Electoral Roll of 2011 unless there are reasons for not doing so. Since the Panchayat Elections for the area is stated to be fixed on 24.4.2016, hence this Court would

direct the District Magistrate, Muzaffarpur-cum-District Election Officer (Panchayat) to dispose of the grievance so raised herein within one week from the date of receipt/production of a copy of this order.

This writ petition is disposed of

Let a copy of this order be handed over to learned counsel for the petitioners as well as the State for ensuring compliance.

(Jyoti Saran, J)

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