

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7896 of 2016

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Raj Narayan Singh, Son of Late Sarjug Singh, Resident of Village- Jalalpur,
P.O.- Gultenganj, Panchayat Vishnupura, P.S.- Chapra Mufassil, District-
Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State Election Commission, Bihar, Patna.
3. The District Magistrate –cum- District Election Officer, Saran
(Panchayat Raj).
4. The Sub Divisional Officer, Saran, Chapra.
5. The Block Development Officer, Sadar Chapra, District- Saran.
6. The Circle Officer, Sadar Chapra, District- Saran.
7. The Election Officer, Sadar Chapra, District- Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Saxena
For the State	:	Mr. Sailesh Kumar, A.C. to G.P.-20
For the State E.C.	:	Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 11-05-2016 Perused the office note as well as the defect so pointed

out which relates to non- enclosure of the order of rejection of

nomination passed by the Block Development Officer, Sadar

Chapra –cum- Election Officer, the respondent no.5. According

to the petitioner the respondent no.5 has rejected his nomination

vide order passed on 21.3.2016.

Mr. Anil Kumar Saxena, learned counsel for the

petitioner submits that since the order has not been handed over

to the petitioner hence it has not been enclosed.

Mr. Sailesh Kumar, Learned A.C. to G.P.-20 for the State

and Mr. Sanjeev Nikesh, learned counsel appearing for the State Election Commission, inform that the election to the post of *Sarpanch* for which the petitioner has filed his nomination has already been taken place on 10.5.2016.

Having heard learned counsel for the parties and taking note of the fact that the election to the post of *Sarpanch* has already taken place on 10.5.2016, I deem it fit and proper to dispose of this writ petition with liberty to the petitioner, if so advised, to question the rejection of his nomination by preferring an election dispute before the forum so provided under the Bihar Panchayat Raj Act, 2006 and the election rules framed thereunder.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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