

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19314 of 2014

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Vikash Prasad Singh, Son of Late Dashrath Singh, Resident of Village- Kaira Kada, P.S. - Khaira, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Commissioner, Munger Division, Munger.
4. The District Magistrate, Jamui.
5. The Deputy Development Commissioner, Jamui -cum- Chief Executive Officer, Zila Parishad, Jamui.
6. The State Election Commission through the Secretary, 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna.
7. Sri Rajendra Yadav, Son of not known to the Petitioner Presently Chairman, Zila Parishad, Jamui, P.O. and P.S. Jamui, District- Jamui.
8. Smt. Badmaiya Devi, Wife of not known to the Petitioner Presently Chairman, Zila Parishad, Jamui, P.O. and P.S. Jamui, District- Jamui.
9. Sri Brahmdeo Rawat, Son of Late Yamuna Rawat.
10. Sri Suresh Ram, Son of not known to the Petitioner
11. Sri Kailash Yadav, Son of not known to the Petitioner
12. Sri Vijay Kant Vesara, Son of not known to the Petitioner
13. Sri Mundeo Manjhi, Son of not known to the Petitioner
14. Sri Visheshwar Manjhi, Son of not known to the Petitioner
15. Smt. Ganga Devi, Wife of not known to the Petitioner
16. Smt. Pallavi Devi, Wife of not known to the Petitioner
17. Smt. Kanti Devi, Wife of not known to the Petitioner
18. Kumari Shyama Pandey, Wife of not known to the Petitioner
19. Smt. Sunita Patel, Wife of not known to the Petitioner
20. Smt. Gulnaz Khatoon, Wife of not known to the Petitioner
21. Smt. Dulari Devi, Wife of not known to the Petitioner
22. Smt. Sangeeta Devi, Wife of not known to the Petitioner
23. Smt. Savitir Devi, Wife of not known to the Petitioner
24. Smt. Janki Devi, Wife of not known to the Petitioner
25. Smt. Dhaneshwari Devi, Wife of not known to the Petitioner.

Respondent Nos. 9 to 25 are the Members of Zila Parishad, Jamui, through the Deputy Development Commissioner -cum- Chief Executive Officer, Zila Parishad, Jamui, P.O. + P.S. and District - Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjeet Sinha Mr. Prakash Kumar
For the Respondent-State	:	Mr. Md. Raisul Haque,SC-4
For the Respondent-SEC	:	Mr. Amit Shrivastava

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 11-02-2016

Mr. Ranjeet Sinha, learned counsel appearing for the
petitioner, counsel for the State and Mr. Girish Pandey, learned

counsel appearing for the State Election Commission are present and have been heard.

The petitioner questions the election of the respondent no.7 as Chairman, Zila Parishad, Jamui. The ground taken is that he has criminal case behind him. The petitioner having contested the post of Chairman, Zila Parishad along with the respondent no.7 and having lost the contest he is now questioning the very eligibility of the respondent no.7 to be elected as a Member of the Zila Parishad, inter alia, on grounds that there is a criminal case behind him in which he was declared absconder which he does not disclose.

Apparently the petitioner is trying to raise an issue of eligibility of the respondent no.7 to contest the election as a Member of the Zila Parishad itself.

In the nature of the grievance so raised and in view of the provisions underlying section 137 of the Bihar Panchayat Raj Act, 2006 read with 'the Rules' framed thereunder the forum for the petitioner lies elsewhere and not in writ jurisdiction.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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