

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2745 of 2016

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Sakila Khatoon, wife of Sahadaz Ansari, resident of Village- Inerwaa Bhar,
P.S.- Paharpur, District- East Champaran. .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Election Authority, 32, Harding Road, Patna through its Secretary.
3. Chief Election Officer, 32, Harding Road, Patna.
4. Registrar, Cooperative Societies, Bihar, Patna.
5. District Magistrate, East Champaran –cum- District Election Officer.
6. District Cooperative Officer, East Champaran.
7. Assistant Registrar, Cooperative Societies, Motihari Sadar Anchal, District- East Champaran.
8. B.D.O., Paharpur, District East Champaran –cum- Election Officer.
..... Respondents 1st Party.
9. Barkat- Narkatia Primary Agriculture Credit Cooperative Society having its office at Village-Barkat, P.S.- Paharpur, District- East Champaran through its Chairman.
..... Respondents 2nd Party.
10. Vinod Kumar, son of Dashrath Prasad, resident of Village- Pakria, Post- Paharia, P.S.- Paharpur, District- East Champaran so-called elected Adhyaksha.
11. Bipin Bihari Prasad, son of Tokhi Prasad, village- Bankar.
12. Jitendra Kumar Pathak, son of Janardan Pathak, Village- Bankar.
13. Shivpujan Mahto, son of Mahang Mahto, village- Pakria.
14. Manager Paswan, son of Gorakh Paswan, Village- Pakria.
15. Baijnath Yadav, son of Chana Yadav, Village- Vishunpur Matiyarwa.
16. Aasha Devi, wife of Meghnath Prasad, Village- Matiyarwa.
17. Kiran Devi, wife of Dinesh Kumar, Village- Inerwa, Bhar.
18. Bhagarthi Devi, wife of Ramji Prasad, Village- Pakria.
19. Geeta Devi, wife of Shivshankar Paswan, village- Pakria.
20. Jamdar Mahto, won of Jaleshwar Mahto, village- Pakria.
21. Neelam Devi, wife of Krishna Mahto, village- Pakria.

All Post- Paharia, P.S.- Paharpur, District- East Champaran.

.... Respondents 3rd Party.

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Appearance :

For the Petitioner/s : Mr. Yogendra Mishra
Mr. Uma Kant Tiwary
For the Respondent-State : Mr. Manikant Mishra, GP-25
For State Election Authority : Mr. Mukesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-02-2016

Learned counsel for the parties are present and have

been heard.

It is argued by Mr. Yogendra Mishra, learned counsel appearing for the petitioner that the name of the petitioner was in the voter-list of 2009 but was deleted and again was included in the voter list for the election held in 2014 on the objection raised by the petitioner. It is submitted that following the inclusion that the petitioner filed her nomination to the post of Member of the society concerned and symbol was also allotted but on the date of election a different voter-list was placed which did not contain the name of the petitioner and as such the petitioner lost the election.

The writ petition is misconceived for an election dispute is sought to be raised by way of a writ petition which is accordingly disposed of with liberty to petitioner, if so advised, to take recourse to the remedy as available in law.

(Jyoti Saran, J)

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