

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10198 of 2016

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Parwati Devi, wife of Sri Anil Kumar, resident of village Dharma Parsa,
P.S. Manjha, District Gopalganj

.... Petitioner/s

Versus

1. The State Election Commission of Bihar son Bhawan, Birchand Patel Path, Bihar, Patna
2. The Secretary, State Election Commission, Bihar son Bhawan, Birchand Patel Path, Bihar Patna
3. The District Magistrate cum District Election Officer Panchayat District Gopalganj
4. The Returning Officer, Bathua Gram Panchayat, cum Block Development Officer, Block Manjha, District Gopalganj
5. The Assistant Returning Officer, Bathua Gram Panchayat, Block Manjha, District Gopalganj
6. Shamim Alam son of Jamil Ahmad, resident of village and P.O.- Dharma Parsa, P.S. and Anchal-Manjhagarh, district Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Respondent/s : Mr. Amit Shrivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-06-2016 Perused the office note. Defects are ignored and the matter is taken up for consideration.

Heard learned counsel for the parties.

The petitioner questions the election of respondent No.6 to the post of Member, Panchayat Samiti Bathua in the district of Gopalganj inter alia on grounds that there is a defect in counting process. The remedy for the petitioner to question the election of the private respondent is available under the Bihar Panchayat Raj Act and the Election Rules framed thereunder and the writ

petitioner if so advised can take recourse to the same.

In the circumstances discussed, the writ petition is held misconceived and is disposed of accordingly.

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(Jyoti Saran, J)

