

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5565 of 2016

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Satyanarayan Yadav son of Late Kewal Yadav, resident of village-Dahiyari,
P.S.-Sono, District-Jamui

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Panchayati Raj Govt. of Bihar, Patna
2. The District Magistrate-cum-District Election Officer (Panchayat) Jamui
3. The Sub-Divisional Officer, Jamui
4. The District Panchayati Raj Officer, Jamui
5. The Block Development Officer-cum-Returning Officer, Panchayat Sono, Jamui
6. The State Election Commission through its Secretary having its office at Sone Bhawan, Patna
7. The State Election Commissioner (Panchayat), Bihar, Patna

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Respondent/s : Mr. Sanjay Pandey, GP-21
For the State E.C. : Mr. Amit Shrivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-03-2016 Counsel for the parties are present.

The petitioner is aggrieved by the reservation of Gram Panchayat Dahiyari in the district of Jamui insofar as it relates to the post of Mukhiya which according to the petitioner has been illegally reserved in favour of the Scheduled Caste candidate and which should be allotted for the general category.

The issue of categorization of the territorial constituency was considered by this Court in CWJC No. 2445 of

2016 and other analogous cases and this Court has recorded satisfaction on the procedure followed by the Commission. Further any grievance regarding an incorrect application of the procedure adopted by the State Election Commission in respect of categorization of any constituency cannot be a subject matter of a writ proceeding. The petitioner, if so advised, may take recourse to the forum so available to him in law.

In the aforementioned view of the matter, no cause for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

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