

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7299 of 2016

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Upendra Paswan, son of Ram Nandan Paswan, resident of Murali Hill
Bairagi, P.S. Kotwali, District -Gaya

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development, Government of Bihar.
2. The Municipal Commissioner, Gaya
3. The State Election Commissioner, Bihar, Patna
4. The Election Officer-cum-District Magistrate, Gaya

.. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh, Adv.

For the Respondent/s : Mr. Arvind Kumar No.-2, S.C.17

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 25-04-2016 Let the State of Bihar through Principal Secretary, Urban Development Department and Municipal Commissioner, Gaya be added as a party to the proceeding during the course of the day.

Although the petitioner complains that following the death of the Ward Councilor of Ward No.11 on 5.6.2015 the seat has fallen vacant and is not being filled up but it is nowhere stated in the writ petition, whether the said ward forms a part of the Nagar Panchayat, Nagar Parishad or Municipal Corporation. The details are missing. Even the representation is wrongly addressed to the Election Commission of India and does not clarify the position. The petitioner in fact should have raised his grievance before the Department of Urban Development or the State Election

Commission together with relevant details.

In the circumstances, the writ petition is disposed of with liberty to the petitioner to file a comprehensive representation before the authority concerned and which should be considered and disposed of in accordance with law.

(Jyoti Saran, J)

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