

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7287 of 2016

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Upendra Baitha, S/o Late Gurcharan Baitha, Resident of village- Punarbasa,
P.S.- Runni Saidpur, Prakhand- Runni Saidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Election Commissioner, Bihar State Election Commission,
Patna.
3. The District Magistrate cum District Election Officer, Sitamarhi.
4. The Block Development Officer –cum- the Election Officer,
Runnisaidpur, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das
For the Respondent/s : Mr. Manindra Kishore Singh, S.C.-6
For the Commission : Mr. Amit Srivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 28-04-2016

Heard.

The petitioner is aggrieved by non allotment of symbol.

Learned counsel for the Commission informs that the nomination of the petitioner has been rejected *inter alia* on grounds that the petitioner is working as a Tola Sevak in Prathmik Vidyalaya Punarbara Uttari Tol, Block Runni Saidpur, District Sitamarhi and thus ineligible to contest the election.

The rejection of nomination on eligibility is an election dispute and the petitioner shall be at liberty to question the same before an appropriate forum as provided under the Bihar

Panchayat Raj Act, 2006 and the rules framed thereunder.

No cause for indulgence is made out in the extraordinary jurisdiction.

The writ petition is disposed of.

(Jyoti Saran, J)

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