

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7546 of 2016

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Meera Devi wife of Shri Sarvdeo Sharma, resident of village Rangrawasa
Chharapatti, P.O. Dobha, P.S. Tikapatti, Block Rupauli, district Purnea
..... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Panchayat Raj, Government of Bihar, Patna
2. The District Magistrate-cum-District Election Officer (Panchayat), Purnea
3. The District Panchayat Raj Officer, Purnea
4. The Block Development Officer, Block Rupauli, District Purnea
5. The Block Development Officer-cum-Returning Officer, Block Rupauli, District Purnea
6. The Assistant Returning Officer, Block-Rupauli, District Purnea
7. The State Election Commission, represented through its Secretary, State election Commission, Bihar, Sone Bhawan, 3rd Veer Chand Patel Path, Patna 800001
8. The Commissioner, the State Election Commission, Bihar, Sone Bhawan, 3rd Veer chand Patel Path, Patna 800001.
9. The Secretary, The State Election Commission, Bihar, Sone Bhawan, 3rd Veer Chand Patel Path, Patna 800001

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Adv.
For the Commission : Mr. Amit Srivastava, Adv.
Mr. Sanjeev Nikesh, Adv.
For the State : Mr. K.K.Jha, AAG 14

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 29-04-2016

Heard Mr. Sri Prakash Srivastava, learned counsel for the petitioner, learned counsel for the State and learned counsel for the State Election Commission.

The nomination of the petitioner has been rejected inter alia on grounds that whereas the seat was reserved for Extremely Backward Caste (hereinafter referred to as the 'EBC') category but the petitioner

did not belong to the said category.

Learned counsel for the Commission has produced the resolution of the General Administration Department dated 1.7.2015 to submit that although the Tanti/Tatwa caste was put under the ‘EBC’ category appearing at Serial No. 33 to Annexure-1 of the Bihar Reservation of Vacancies in Posts and Services (for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1991 but the same has since been deleted from the list and has been included in the Scheduled Caste Category. It is thus submitted that it is in the circumstances where the Tanti/Tatwa caste stands deleted from the category of Extremely Backward Caste and put under Scheduled Caste category that the nomination has been rejected.

In view of the submission so advanced, no ground for indulgence is made out to the grievance raised and the writ petition is accordingly disposed of.

Let the resolution so produced be maintained in the record of the proceedings.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	
CAV DATE	
Uploading Date	5-5-2016
Transmission Date	