

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5492 of 2016

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Raju Panjiyar, son of Sri Dilip Narayan Panjiyar, resident of village-
Rajauli, P.S. Deodha, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, State of Bihar
2. The Chief Secretary of Bihar, Patna
3. Through Secretary, Election Commission, State of Bihar, Patna
4. Panchayat Raj Officer, State of Bihar, Patna
5. The Collector, Madhubani
6. The District Panchayat Raj Officer, Madhubani
7. The Block Development Officer, Jay Nagar, Madhubani

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Smt. Geeta Kumari, GP-28
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 declaration made by the State Election Commission in respect of Territorial Constituency No. 16 under Madhubani Zila Parishad which has been reserved for backward women. According to the petitioner it should be declared as open for general candidates.

The procedure followed by the State Election Commission in respect of categorization of any territorial constituency stands concluded in the judgment of this Court

passed in a batch of cases arising from C.W.J.C. No. 2445 of 2016 dated 18.3.2016 and thus this Court is not persuaded to interfere with the decision of the State Election Commission as impugned herein.

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.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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