

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10362 of 2016

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1. Santosh Kumar Son of Shri Sukhdeo Prasad Mandal Resident of Village-Tahsoor, P.S.- Jagdishpur, P.O.- Chandpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Raj Department, Government of Bihar, Patna.
2. The State Election Commission through its Commissioner, State Election Commission Bihar Sone Bhawan, Birchand Patel Path, Patna.
3. The Secretary, State Election Commission, Bihar, Sone Bhawan, Birchand Patel Marg, Patna.
4. The Deputy Secretary, State Election Commission Sone Bhawan Birchand Patel Marg, Patna.
5. The District Magistrate-cum-District Election Officer, Panchayat Bhagalpur, District- Bhagalpur.
6. The District Panchayat Raj Officer Bhagalpur, District- Bhagalpur.
7. The Block Development Officer, Jagdishpur Block, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Respondent/s : Mr. Uma Shankar, G.P.4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-07-2016 Heard learned counsel for the parties.

The petitioner is aggrieved by the reservation of the post of Mukhiya which has been allotted to the Scheduled Caste.

According to the petitioner it should have gone to a Schedule Caste woman candidate. The issue of categorization has come up for consideration before this Court in **C.W.J.C. No. 2445 of 2016 (Brij Kishore Upadhyay & Anr. Vs. State of Bihar & Ors.)** and when this Court considering the submissions advanced by learned counsel upheld the categorization of the constituency

and the reservation roster so followed by the Commission with liberty to the aggrieved to take recourse to the lawful remedy that is available to them under the relevant statute.

The issue already discussed in the judgment passed in the case of **Brij Kishore Upadhyay** (supra), no cause for indulgence is made out.

The writ petition is disposed of.

(Jyoti Saran, J)

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