

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.3286 of 2016**

Shiv Kumar Singh son of Late Lakhan Singh Resident of village and P.O. Kharsari,  
P.S. Jamui, District- Jamui. .... Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate-cum-District Election Officer (Panchayat), Jamui, District- Jamui
4. The District Panchayat Raj Officer, Jamui, District- Jamui
5. The Block Development Officer, Jamui, District- Jamui
6. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
7. The State Election Commissioner, The State Election Commission ( Panchayat ), Sone Bhawan, Birchand Patel Path, Patna
8. The Secretary, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna. .... Respondents

**Appearance :**

For the Petitioner/s : Mr. S. B. K. Manglam, Advocate  
Mrs. Anita Kumari, Advocate

For the Respondent/s : Mr. Prabhat Kumar Verma, AAG5

**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH)**

**Date: 08-04-2016**

Heard Mr. Shashi Bhushan Kumar Manglam, learned Counsel, appearing on behalf of the petitioner, and Mr. Prabhat Kumar Verma, learned Additional Advocate General No.5, appearing on behalf of the State-respondents.

2. With the help of this writ petition, made under Article 226 of the Constitution of India, in the form of Public Interest Litigation, the petitioner has prayed for shifting the location of several booths of Gram Panchayat Raj, Kundari Sankurahan, in the district of

Jamui, on the ground that the same is located near the house of prospective candidate.

3. It is the case of the petitioner that the State Election Commission has laid down detailed guidelines in its, letter No. 2114, dated 15.12.2015, for conducting free and fair panchayat elections. In its letter, the State Election Commission has, in para 4 (3) (K), directed that no polling booth should be located more than 2 K.M. away from the residence of voters and, under paragraph 4 (3) (Gh), it is also directed that a polling booth should not be located within the distance of 100 meters from the residence of present Mukhiya and the booth should also not be located near the house of prospective candidates.

4. We find that prior to filing of this writ application, the petitioner has not approached the respondents with his grievance.

5. In the above view of the matter, the writ application is premature and is, accordingly, dismissed.

**(I. A. Ansari, ACJ.)**

Uday/-

**(Samarendra Pratap Singh, J.)**

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