

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7839 of 2016

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Ram Kailash Singh, son of late Ram Lakhan Singh, Resident of Village Muradpur, Narkatiya, Post- Babhangama, Police Station- Majorganj, Block Suppi, Sitamarhi.

.... Petitioner/s

Versus

1. The State Election Commission (Panchayat) through Chief Election Commissioner, Son Bhawan, Birchand Patel Path, Patna.
2. The Secretary, State Election Commission, Sone Bhawan, 3rd floor, Veerchand Patel Road, Patna-800001.
3. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The Director, Panchayati Raj Department, Government of Bihar, Patna.
5. The District Magistrate-cum-District Election Officer (Panchayat), Sitamarhi.
6. The District Panchayat Raj Officer, Sitamarhi.
7. The Block Development Officer, Suppi Block, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Respondent-State : Mr. Abbas Haider, SC-16
For the Respondent-SEC : Mr. Amit Shrivastava
Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-05-2016 The matter relates to shifting of booth. The petitioner wants the booth to be shifted in appropriate building. The election is due on 6.5.2016.

Section 26 of the Bihar Panchayat Raj Act, 2006 vests exclusive discretion in the District Election Officer who happens to be the District Magistrate for selection of polling booth. In my opinion in the nature of discretion so exercised by the District Magistrate as the District Election Officer it does not warrant any interference at such belated stage. No cause of indulgence is made out. The writ petition is accordingly disposed of

(Jyoti Saran, J)

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