

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9655 of 2016

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Shiv Kumar Upadhyay, son of Late Jagarnath Upadhyay, Resident of
Village- Shivrajpur, P.O.- Khajuri, P.S.- Kuchaikote, District- Gopalganj.
..... Petitioner/s

Versus

1. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
2. The State Election Commissioner, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
3. The Secretary, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
4. The District Election Officer (Panchayat), Gopalganj, District- Gopalganj.
5. The Block Development Officer, Kuchaikote-cum-Returning Officer (Panchayat Election), Kuchaikote Block, District- Gopalganj.
6. Rameshwar Yadav, son of Sri Lal Babu Yadav, Resident of Village- Mateya Tola, P.O. Mateya Khas, P.S.- Kuchaikote, District- Gopalganj.

..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar -Manglam
For the Respondent/s : Mr. Amit Shrivastava
Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-06-2016 Heard Mr. S.B.K. Manglam, learned counsel for the

petitioner, learned counsel for the State and learned counsel for

the State Election Commission.

The petitioner complains that the ballot boxes relatable
to booth nos.313 to 318 for the post of Mukhiya, Gram
Panchayat Raj, Mateya Khas in the district of Siwan were
soiled as water had seeped inside the ballot boxes and were not
in a position for counting. The grievance of the petitioner is
that despite such position, the Returning Officer proceeded

with the counting and declared the result.

While raising such grievance it is also admitted by Mr. Manglam, learned counsel for the petitioner, that an election dispute has also been raised before the Election Tribunal by the petitioner.

In the circumstance discussed, no cause for indulgence is made out and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

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