

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6210 of 2016

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All India Kharagwanshi (Kharwar) Kshatriya Mahasabha, 15 A, Clive Row, Second Floor, Kolkata-700001, having its District Branch Muzaffarpur and Vaishali jointly at Muzaffarpur through its President Baidyanath Singh, son of Late Makhan Singh, resident at Sachipatti (East of Baladas Math) Hajipur, P.S.- Nagar Thana, Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The State Election Commission, Bihar, 7 Mangles Road, Patna.
3. The District Magistrate –cum- District Election Officer (Panchayat), Vaishali at Hajipur.
4. The District Magistrate –cum- District Election Officer (Panchayat), Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Sinha
For the Respondent-State	:	Smt Geeta Kumari, GP-28
For the Respondent-SEC	:	Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-04-2016 Heard Mr. Shailendra Kumar Sinha, learned counsel appearing for the petitioner, counsel for the State and Mr. Sanjeev Nikesh, learned counsel appearing for the State Election Commission.

Rather a generalized prayer has been made by the petitioner to declare 1% seat in the Panchayat Election as reserved for the Scheduled Tribe category candidates.

Mr. Sanjeev Nikesh, learned counsel appearing for the State Election Commission submits that the Commission has followed the procedure prescribed under rule 11 of the Bihar Panchayat Election Rules, 2006 and has made allocation of seats

accordingly which includes the reserve constituency.

Having given my consideration to the issue raised, I find that in the entire writ petition there is no mention by the petitioner as to whether any seat earmarked for Scheduled Tribe category has gone to any other category. In fact the writ petition is bald as to the reasons for discontent. In my opinion no discretion can be exercised on such vague pleadings and generalized relief nor any writ can be issued. The writ petition is accordingly disposed of.

(Jyoti Saran, J)

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