

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16768 of 2016

=====

Nagina Rai Wife of Late Sachchidanand Yadav, resident of Pathadda, P.S.
Phullidumar, District- Banka.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Patna.
2. State Election Commission, Bihar Patna through its Secretary.
3. The Secretary, State Election Bihar, Patna.
4. The Collector, District- Banka.
5. Block Development officer-cum- Returning Officer, Phullidumar, District- Banka.
6. Santosh Kumar, Son of Jyotish Prasad Yadav, resident of Village- Pathadda, P.S.- Fullidumar, District- Banka.
7. Jitendra Das, Son of Baleshwar Das, resident of Village- Pathadda, P.S.- Fullidumar, District- Banka.
8. Amar Bihari Son of Late Kamdeo Yadav resident of Village- Pathadda, P.S.- Fullidumar, District- Banka.
9. Anil Jha Son of Arbind Jha, resident of Village- Dimay, P.S.- Belsira, District- Banka.
10. Kumar Nawal, Son of Tribeni Yadav, Resident of Village Lourhiya, P.S. Belsira, District- Banka.
11. Umesh Yadav, Son of Late Surya Narayan Yadav, Resident of Village Laurhiya, P.S.- Belsira, District- Banka.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate

For the State : Mr. Vijay Bharti, AC to SC-7

For the State Election Commission:

Mr. Amit Shrivastava, Advocate

Mr. Girish Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT



Date: 20-11-2017

Heard learned counsel for the petitioner and learned counsel for the State Election Commission.

In view of the ratio laid down by the Division Bench of this Court in the matter of Bibha Devi vs. State Election Commission (Panchayat) & Ors. reported in 2017 (1) PLJR 225, the instant writ petition filed by petitioner to debar the respondent no. 6 from contesting the election of Mukhiya after declaration of the result of the election is not maintainable in law.

It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.11.2017
Transmission Date	NA

