

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1314 of 2016

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Shiv Kumar Singh Son of Late Sudama Singh resident of Village - Mala,
Post - Gurukul Mehiyan, P.S. - Muffasil, District - Chapra (Saran).

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Patna.
2. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
4. The District Magistrate-cum-District Election Officer (Panchayat), Patna.
5. Sri Suraj Kumar Singh, Block Development Officer, Manjhi-cum-Election Officer (Panchayat), Sadar, Chapra.
6. The Circle Officer, Sadar Circle, Chapra.
7. The Circle Inspector, Sadar Circle, Chapra.
8. The Revenue Clerk, Sadar Circle, Chapra through its Secretary.
9. The State Election Commissioner, Bihar State Election Commission, Patna.
10. Santosh Prasad son of Kedar Prasad Village - Rathour Newaji Tola, P.O. - Gurukul Mehiyan, P.S. - Chapra Muffasil, District - Saran at Chapra.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rajesh Narain, Adv Mr. Gyan Prakash, Adv
For the State	:	Mr. Suresh Kumar, AC to G.P.-1
For State Election Commission	:	Mr. Amrit Shrivastava, Adv Mr. Ritesh Kumar, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 24-08-2017

Considering the fact that the original writ petition was filed challenging the order rejecting the nomination of the petitioner and the learned Writ Court refused to interfere into the matter on account of the fact that against the order rejecting



the nomination after the elections are held, petitioner has remedy available to file election petition under the Bihar Panchayat Raj Act, 2006, now after the election are over, we are not inclined to interfere into the matter. However, if the petitioner has any grievance with regard to the manner in which the order has been passed which has adversely affected his position/status/caste, liberty shall be available to the petitioner to seek declaration of his caste by taking recourse to such remedy as may be available under law.

With the aforesaid observations and liberty to the petitioner, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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