

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3334 of 2017

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1. Ramashray Mahto, Son of Late Shivnandan Mahto,
 2. Azhar Alam, Son of Late Samsuddin, Both Resident of Village- Mordiva, P.S.- Samastipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development & Panchayat Raj.
2. The Principal Secretary, Department of Rural Development & Panchayat Raj, New Secretariate, Patna.
3. The Bihar State Election Commission, through its Commissioner.
4. The Election Commission, Nirbachan Bhawan, Patna.
5. The District Election Officer, Samastipur.
6. The Block Development Officer, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s : Mr. Pushkar Narain Shahi-AAG-6
For State Election Commission: Mr. Amit Shrivastava, Advocate
Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-08-2017

Inter alia contending that in the matter of reservation of seats for election to various Panchayats under the Bihar Panchayat Raj Act, 2006, the roster system for reservation is not being followed ever since enactment of the Act and contending that elections are held without following the principles of reservation, this petition has been filed in public interest and general prayers are made with regard to following the policy of reservation and roster



system, without any specific instance with regard to any Panchayat in particular.

Keeping in view the fact that elections for the Panchayats have already been held and the question of election has to be considered by the State Election Commission, we grant liberty to the petitioner to point all these infirmities, if any, to the State Election Commission, respondent Nos.3 and 4 before the next election and respondent Nos.3 and 4 shall look into the matter and decide the same in accordance with law.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.8.2017
Transmission Date	N/A

