

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13598 of 2016

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Sanju Mistri, Son of Badhan Mistri, Resident of 44 Savarachak Karma, Town/Vill.-
Sanvarchak, Anchal Mohanapur, P.S. Mohanapur, District Gaya-824232

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj, Department of Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Chief Election Commissioner, Bihar State Election Commission (Panchayat) Patna.
4. The District Magistrate, Gaya.
5. The District Election Officer, Gaya.
6. The Block Development Officer, Mohanpur, Gaya.
7. The B.L.O. (Block Level Officer) Concerning Gram Panchayat Ambatary Block Mohanpur, District Gaya.
8. The Panchayat Secretary, Gram Panchayat Ambatary, Mohanpur, Gaya.
9. The then Mukhia, Gram Panchayat Ambatary, Mohanpur, Gaya.
10. The Present Mukhia, Gram Panchayat Ambatary, Mohanpur, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner	:	Mr. Shabbir Ahmad, Advocate Mr. S.S. Singh, Advocate
For the State	:	Mr. P.N. Shahi, A.A.G.-6 Mr. Manish Kumar, A.C. to AAG-6
For the State Election Commission	:	Mr. Amit Shrivastava, Advocate Mr. Girish Pandey, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and



HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 15-03-2017

Heard Mr. Shabbir Ahmad and Mr. S.S. Singh, learned counsel appearing on behalf of the petitioner, Mr. P.N. Shahi, A.A.G.-6 and Mr. Manish Kumar, A.C. to A.A.G.-6, learned counsel appearing on behalf of the State and Mr. Amit Shrivastava and Mr. Girish Pandey, learned counsel appearing on behalf of the State Election Commission.

Complaining various illegalities committed in preparation of the Voter List for election of Ambatary Gram Panchayat in the district of Gaya during the elections that were held on 14.05.2016 this writ petition has been filed.

It is stated that the manner in which the Electoral Roll was prepared is not permissible under law and the election conducted on the basis of such a Voter List is vitiated under law.

If that be so, petitioner should take recourse to the statutory remedy available by filing an Election Petition under the Bihar Panchayat Raj Act, 2006 or now after the elections are over, seek rectification of the Voter List for the coming election by approaching the State Election Commission.

With the aforesaid liberty to the petitioner, we dispose of the writ petition.



(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	16.03.2017
Transmission Date	

