

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7449 of 2013

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Kumud Devi W/O Sri Aniurudh Singh R/O Village- Padauli (Dhobi Tola), P.S.-
Basantpur, Distt.- Siwan

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Department Of Social Welfare, Government Of Bihar,
Patna
3. The District Magistrate, Siwan
4. The District Programme Officer, Department Of Social Welfare, Siwan
5. The Child Development Programme Officer Block- Lakadi Nabiganj, Distt.-
Siwan
6. The Mukhiya, Panchayat-Padauli Block- Lakadi Nabiganj, District- Siwan
7. The Panchayat Sachiv, Panchayat-Padauli Block-Lakadi Nabiganj, District-
Siwan
8. Asha Devi W/O Sri Sanjay Singh R/O Village- Padauli (Dhobi Tola), P.S.-
Basantpur, Distt.- Siwan

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Singh, , Advocate Mr. Sumit Kumar, Advocate
For the Respondent no. 8 :		Mr. Rakesh Kr. Tiwary, Advocate Mr. Sudama Kumar, Advocate
For the State	:	Mr. Mukund Mohan Jha, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 01-08-2018

Heard learned counsel for the petitioner and the
respondent State

2. It is submitted by counsel appearing for the petitioner
that as per the provisions contained in the guidelines of 2006 there
was no mandatory requirement that petitioner was to be physically
present at the Aam Sabha failing which her candidature would be
disqualified. This aspect of the matter which arises out of the



provisions contained in the guidelines has not been considered by the District Magistrate while passing the impugned order on the appeal no. 55 of 2010-11.

3. Since the consideration with respect to this issue has to be done with reference to the proceedings of Aam Sabha wherein the selection of respondent no. 8 has been done, the matter may be looked into by the Collector for the purpose of this limited enquiry. The petitioner is permitted to approach the Collector by filing an application which may be considered after hearing the parties. Both petitioner and respondent no. 8 agree to appear before the Collector on 31.08.2018 to facilitate adjudication on this limited issue.

4. In view of such situation, no further orders need to be passed.

5. The writ petition is disposed off.

6. The Collector would be obliged to consider the issue and dispose off the same expeditiously and preferably within a period of four weeks from appearance of the parties.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

