

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10449 of 2016

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Sogara Khatoon W/o Md. Kasim Resident of Village- Kusmar Sheikhtoli,
P.O.- Bagha Kusmar, P.S.- Khutauna, District- Madhubani.

... .. Petitioner

Versus

1. The Bihar Election Commission through the State Election Commissioner, Bihar, Sone Bhawan, 3rd Floor, Virchand Patel Path, Patna.
2. The State Election Commissioner, Bihar, Sone Bhawan, 3rd Floor, Virchand Patel Path, Patna.
3. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
4. The District Magistrate-cum-District Electoral Officer, Madhubani, District- Madhubani.
5. The Sub-Divisional Officer-cum-Sub-Divisional Electoral Officer, Phulparas, District- Madhubani.
6. The Block Development Officer, Khutauna, District- Madhubani.
7. Bibi Shabana Khatoon W/o Md. Atiullah Resident of Village- Bagha, P.O.- Bagha Kusmar, P.S.- Khutauna, District- Madhubani.

... .. Respondent

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Appearance :

For the Petitioner/s	:	Mr. Madhu Prasun, Advocate
For the Respondent/s	:	Mr. Amit Shrivastava, Advocate
		Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 04-12-2018

By way of the present writ petition, the petitioner has prayed for issuance of a direction to the respondents for recounting of votes of election of Mukhiya of Gram Panchayat Raj Bagha Kusmar.

2. Section 137 of the Bihar Panchayat Raj Act, 2006 provides that the election to any office of a Panchayat or a Gram Katchahry shall not be called in question except by an election petition.

3. In view of availability of an efficacious



statutory remedy to the petitioner for redressal of her grievance and the same having not been availed of, I am not inclined to entertain the present writ petition under extra-ordinary writ jurisdiction. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J.)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.12.2018
Transmission Date	NA

