

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1194 of 2018

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Awadh Kishori Devi @ Avadha Kishor Pandey W/o Radha Sharan Pandey
Resident of Village- Sirsa, Post - Digha Dubauli, P.S.- Baikunthpur,
District- Gopalganj.

.... Petitioner

Versus

The State of Bihar & Ors

.... Respondents

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Appearance :

For the Appellant/s : Mr. Harendra Prasad

For the Respondent/s : Mr. Md. Raisul Haque- Sc10

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-10-2018 Heard both sides.

The petitioner has filed this civil miscellaneous petition against the order dated 17.05.2018 passed by Munsif, Gopalganj in Election Petition No.03/2016.

It has already been held that once the Munsif, who hears the election petition, arising out of Panchayat election is not a court and the Civil Misc. under Article 227 of the Constitution of India is not maintainable against the order of Munsif who acts as tribunal while hearing election petition arising out of Panchayat election, the same has also been held by a Single Bench of this Court in the case of *Neelam Kumar @ Neelam Devi Vs. the State of Bihar & Ors reported in 2001 (4) PLJR Page-713*.

Accordingly, learned counsel for the petitioner is



permitted to convert this civil miscellaneous petition and also change the subject matter of the petition. Thereafter, the petition may be placed before appropriate Bench after seeking permission from Hon’ble the Chief Justice.

(Prabhat Kumar Jha, J)

Amit/-

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