

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10641 of 2016

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Amit Kumar Raj @ Tarun Kumar, son of Rameshwar Prasad Resident of village- Atwal Chak, P.O. Diha, P.S. Tharthari, District- Nalanda at Biharsharif.

... .. Petitioner

Versus

1. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
2. The State Election Commissioner, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
3. The Secretary, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
4. The District Magistrate-cum- District Election Officer (Panchayat), Nalanda at Biharsharif, District- Nalanda at Biharsharif.
5. The Sub- Divisional Officer, Hilsa -cum-Returning Officer, District- Nalanda at Biharsharif.
6. Kapil Prasad, son of Bhagwat Mahto, Resident of village- Chainpur, P.O. Jaitpur, P.S. Chandi, District- Nalanda at Biharsharif.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar -Manglam, Advocate
For the State	:	Mr. Sita Ram Yadav, GP-16
For SEC	:	Mr. Amit Shrivastava, Advocate
		Mr. Sanjeev Nikesh, 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 quashing the result of election of Constituency No. 17 of Zila Parishad, Nalanda whereby the respondent no. 6 was declared elected.

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 his 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
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