

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10651 of 2016

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Md. Kalamudin son of Liyakat Hussain, resident of Village+P.O.- Balia,
Block, Rupouli, P.S.- Rupouli, District- Purnia.

... .. Petitioner

Versus

1. The State of Bihar, through District Magistrate, Purnia.
2. The Bihar State Election Commission (Panchayat), through its Secretary, Sone Bhawan, 3rd Floor, Beerchand Patel Marg, Patna- 800001.
3. The District Panchayat Raj Officer, Purnia.
4. The Block Development Officer, Dhamdaha, District- Purnia.
5. Sub Divisional Officer, Dhamdaha, Purnia
6. The District Magistrate, Purnia
7. Gauri Sharma, son of Sitaram Sharma, aged about 33 years, resident of Village- Kanp, P.O.- Baliya, P.S.- Rupouli, District- Purnia.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Respondent/s : Md. Raisul Haque- SC-4

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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 writ in the nature of *certiorari* for quashing the result of election for the post of Mukhiya in Gram Panchayat-Kanp for Area No. 08 which was declared on 01.06.2016 on the ground that respondent no. 7, namely, Gauri Sharma had committed breach of law, as he was indulged in corrupt practices during the elections and had provoked the voters on religious line and against the petitioner's religion.

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
Transmission Date	NA

