

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7038 of 2018

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Akhilesh Kumar, Son of Late Puna Ram, Resident of Village- Manaini, Post Office- Tungi, Police Station- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-cum-District-Election Officer, Gaya.
2. The Block Development Officer-cum-Returning Officer, Gaya.
3. The District Magistrate, Nawada.
4. The Block Development Officer, Hisua, Nawada.
5. The Election Commissioner, Bihar State Election Commission, Patna, Bihar.
6. Pappu Rajbanshi, Son of Kashi Rajbanshi, Resident of Village Manaini, P.O.- Tungi, Police Station- Wazirganj, District- Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the State : Mr. Kameshwar Prasad Gupta, GP-10
Ms. Deepanjali Gupta, AC to GP-10
For the Respondent No. 5 : Mr. Amit Srivastava
Mr. Girish Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-05-2018 The petitioner by way of the present writ petition has
prayed for the following reliefs :-

- (i) *For issuance of direction to the Respondent Authorities particularly the District Magistrate-cum-District Election Officer, Gaya to hold enquiry and take action against the Respondent No. 6 who after giving wrong information in the election of Gram Panchayat, 2016 with respect to his parentage and address and elected as Member of Panchayat Samiti of Gram Panchayat, Pura, Wazirganj under the district of Gaya in quota of Schedule Caste/Schedule Tribes.*
- (ii). *For issuance of direction to the Respondent No. 5 to cancel the election certificate issued under the*



Paragraph-22 in favour of the Respondent No. 6 which has been obtained after giving wrong details in the nomination paper with respect to name of parentage and address in voter list as the name of Respondent No. 6 figures at two places one in village – Sonsa tola Doman bigha, P.S. – Hisua under the district of Nawada and another in village – Manani, P.O. – Tungi, Police Station – Wazirganj, District – Gaya.

The learned counsel for the petitioner submits that the petitioner would be satisfied if he is permitted to file representation before the respondent no. 5 regarding his aforesaid grievances mentioned in the writ petition and the respondent no. 5 be directed to dispose of the said representation within a specified time frame.

Accordingly, it is directed that the petitioner may file a representation regarding his grievances within four weeks and in case such representation is filed before the respondent no. 5, then the same may be considered and disposed of within a period of six months from the date of filing of the said representation by a reasoned and speaking order.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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