

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9287 of 2017

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Nand Kishore Yadav Son of Ramnarayan Ray, Resident of Village-
Mankauli, P.S.-Kudhani, District-Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar (through the Principle Secretary, Panchayati Raj Department, Govt. of Bihar).
2. The Collector, (District Election Officer), Muzaffarpur.
3. The District Panchayati Raj Officer, Muzaffarpur.
4. The Block Development Officer (Returning Officer), Kudhani Block Muzaffarpur.
5. The State Election Commission, Bihar, Patna.
6. Mrityunjay Kumar @ Gopi Yadav (Elected Mukhiya), Gram Panchayat Raj Kudhani, Kudhani Block, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the State : Mr. Kumar Alok-Sc7
For SEC : Mr. Amit Shrivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-07-2018 Section 137 of the Bihar Panchayat Raj Act, 2006

(for short ‘the Act’) prescribes that the election of any office of a Panchayat or a Gram Katchahry shall not be called in question except by an election petition.

Rule 106 of the Bihar Panchayat Election Rules,
2006 prescribes that an election petition against the elected



candidate may be filed under Section 137 of the Act before the prescribed Court of Law within thirty days from the date of declaration of the election results.

In the present case, the petitioner has prayed for quashing the result of Mukhiya Kudhani Gram Panchayat in Kudhani Block, which was held in the year 2016 in which one Mrityunjay Kumar @ Gopi Yadav (respondent no. 6) was declared elected. The result of the said election had been published on 03.06.2016 and the petitioner had not filed any election petition.

Since the petitioner has not filed any election petition challenging the election of the returned candidates, this Court is of the opinion that no relief can be granted by this Court in exercise of extraordinary writ jurisdiction.

Accordingly, the writ petition, being devoid of any merit is dismissed.

(Ashwani Kumar Singh, J.)

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