

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1465 of 2017**

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Sushma Devi

.... Petitioner/s

Versus

Rita Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Mishra

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 29-10-2018 The petitioner has filed this civil miscellaneous petition against the order dated 28.06.2017 passed by Munsif, Gopalganj in Election Case No.6 of 2016.

It has already been settled by a Single Bench judgment of this Court reported in 2001(4) PLJR 713 that the Munsif while deciding the election disputes of Panchayat election does not as Civil Court rather Munsif acts as a Tribunal and, therefore, this civil miscellaneous petition against the order passed by Munsif as Election Tribunal is not maintainable.

Learned counsel for the petitioner seeks permission to convert this civil miscellaneous petition into CWJC and also prayed to change the subject matter of the writ as Panchayat election disputes.

Prayer is allowed. Learned counsel for the petitioner is



permitted to convert this civil miscellaneous petition into CWJC
within one week after Chhath holidays.

(Prabhat Kumar Jha, J)

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