

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1324 of 2018

Pankaj Narayan @ Pankaj Sharma, son of Late Uday Narayan Singh, resident of Village- Raghunathpur, P.S. Khirimore, District Patna.

... .. Petitioner

Versus

1. The State Election Commission (Panchayat) Sone Bhawan, Birchand Patel Marg, Patna, through the Secretary.
2. The State Election Commissioner (Panchayat) Sone Bhawan, Birchand Patel Marg, Patna.
3. Prashant Kumar, the Returning Officer-cum- Block Development Officer, Paliganj, Patna.
4. The District Magistrate-cum- District Election Officer (Panchayat), Patna.
5. Kashi Nath Singh, Block Agriculture Officer-cum- Assistant Returning Officer, Paliganj, Patna.
6. Manorama Devi, Wife of Vijay Kumar, Resident of Village- Nirablpur, P.S.- Khirimore, District- Patna.
7. Anurag Sharma, Son of Sri Rajendra Singh, Resident of Village- Sidhipur, P.S.- Khirimore, District- Patna.
8. Ashok Mochi, Son of Late Chandraika Mochi, Resident of Village- Raghunathpur, P.S.- Khirimore, District- Patna.
9. Amit Kumar Bhushan, Son of Braj Bhushan Paswan, Resident of Village- Mera, P.S.- Khirimore, District- Patna.
10. Arun Mahto, Son of Hira Mahto, Resident of Village- Mera, P.S.- Khirimore, District- Patna.
11. Kapil Mochi, Son of Ramashish Mochi, Resident of Village- Raghunathpur, P.S.- Khirimore, District- Patna.
12. Jitendra Sharma, Son of Late Chandra Singh, Resident of Village- Patowna, P.S.- Khirimore, District- Patna.
13. Prem Kumar Sharma, Son of Late Chintaharan Singh, Resident of Village- Patowna, P.S.- Khirimore, District- Patna.
14. Mithelesh Paswan, Son of Nanahat Paswan, Resident of Village- Patowna, P.S.- Khirimore, District- Patna.
15. Rajendra Sharma, Son of Late Rajeshwar Singh, Resident of Village- Raghunathpur, P.S.- Khirimore, District- Patna.
16. Raj Kishore Kumar, Son of Dwarik Yadav, Resident of Village- Madaripur, P.S.- Khirimore, District- Patna.
17. Ramawati Devi, Wife of Anurag Sharma, Resident of Village- Sidipur, P.S.- Khirimore, District- Patna.
18. Sri Mohan Sharma, Son of Late Nanda Singh, Resident of Village- Mera, P.S.- Khirimore, District- Patna.
19. Santosh Kumar, Son of Nunu Sharma, Resident of Village- Mera, P.S.- Khirimore, District- Patna.
20. Sugriv Kumar, Son of Late Jayneshwar Singh, Resident of Village- Mera, P.S.- Khirimore, District- Patna.
21. Keshaw Prasad, Block Co-operative Officer, Paliganj, Patna.
22. Kumar Kamakhya Narayan Prasad Gupta, Junior Engineer-cum- Counting Supervisor, Booth No. 239.
23. Shlok Kumar Chakarborty, Counting Supervisor, Booth No. 240
24. JulianandLal Das, Counting Supervisor, Booth No. 241
25. Rajendra Prasad, Counting Supervisor, Booth No. 242.
26. Ashok Kumar, Counting Supervisor, Booth No. 243.
27. Satendra Kumar Singh, Counting Supervisor, Booth No. 244



28. Raj Keshwar Ram, Counting Supervisor, Booth No. 245
29. Pawan Kumar, Counting Supervisor, Booth No. 246
30. Madan Mohan, Counting Supervisor, Booth No. 247
31. Nageshwar Prasad Singh, Counting Supervisor, Booth No. 247 A
32. Digambar Bhagat, Counting Supervisor, Booth No. 248
33. Counting Supervisor, Booth No. 249
34. Anil Kumar, Counting Supervisor, Booth No. 250
35. Vijay Kumar, Counting Supervisor, Booth No. 251
36. Sunil Kumar Singh, Counting Supervisor, Booth No. 252.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Ansul, Advocate Mr. Anuj Kumar, Advocate
For the State	:	Smt. Archana Meenakshee, G.P.6 Mr. Harish Singh Goldie
For Res. Nos.1 & 2	:	Mr. Amit Srivastava, Advocate Mr. Girish Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-09-2018 In view of the law laid down by this Court in 2001 (4) PLJR 713 (Md. Zakir Hussain vs. Hareshwar Prasad Singh & Ors.), the order of Munsif, who is hearing election matters of Panchayat election, shall not be treated as passed by the civil court.

Mr. Ansul, the learned counsel for the petitioner seeks permission to withdraw this civil miscellaneous petition with liberty to file writ petition under Article 226 of the Constitution of India and correct the subject matter accordingly.

Prayer is allowed and this civil miscellaneous petition is dismissed as withdrawn with the aforesaid liberty.

Let the certified copy of the impugned order be returned to the learned counsel for the petitioner after keeping a photo copy of the same with the record.

(Prabhat Kumar Jha, J)

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