

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20592 of 2021

Md. Nazrul Hussain Son of Late Shekh Md. Hanif Resident of Village Latambari, Post - Shahidganj, Police Station - Bhawanipur, District- Purnia, Bihar - 854204.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. The District Magistrate - cum- District Collector - cum- District Election Officer, Purnia.
5. The Sub - Divisional Officer - cum- Sub - Divisional Magistrate, Dhamdaha Sub - Division, District - Purnia, Bihar.
6. The Block Development Officer - cum- Block Election Officer - cum- Returning Officer, Bhawanipur Block, Purnia.
7. The Circle Officer, Circle Office - Bhawanipur, District- Purnia, Bihar.
8. The State Election Commission (Panchayat), Bihar, Patna.
9. Razina Khatoon Wife of Md. Jamil Ahmad Resident of Village - Bhurkunda, Post - Shahidganj, Police Station - Bhawanipur, District- Purnia. Bihar - 854204.
10. Arzu Chaman Wife of Md. Nazrul Hussain Resident of Village Latambari, Post - Shahidganj, Police Station - Bhawanipur, District- Purnia. Bihar - 854204.
11. Asgari Khatoon Wife of Md. Ramzan Ali Resident of Village Latambari, Post - Shahidganj, Police Station - Bhawanipur, District- Purnia, Bihar - 854204.
12. Aasmin wife of Faiz Ahmad Resident of Village - Latambari, Post - Shahidganj, Police station - Bhawanipur, District- Purnia, Bihar - 854204.
13. Barira Khatoon Wife of Rizwan Resident of Village and Post - Shahidganj, Police Station - Bhawanipur, District- Purnia, Bihar - 854204.
14. Shanaz Prawin Wife of Md. Salahuddin Resident of Village - Bhangra, Post - Shahidganj, Police Station - Bhawanipur, District- Purnia, Bihar - 854204.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Sinha, Advocate
For the Respondent/s : Mr. P.N. Shahi (AAG-6)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH



and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 23-12-2021 The petitioner has put to challenge the election of *Mukhia* of Shahidganj *Gram Panchayat* under the district Purnia on the ground that though some of the villages have become part of a newly constituted *Nagar Panchayat*, Bhawanipur, residents of such villages have also been allowed to cast their votes in the said election.

We are not inclined to entertain this writ application there being clear bar under Section 138(b) of Bihar Panchayat Raj Act, 2006.

This application is accordingly dismissed as not maintainable. It is, however, observed that the petitioner shall be at liberty to invoke any remedy as permissible under the provisions of the Act.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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