

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20232 of 2021

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Smt. Radha Kumari Patel @ Radha Patel W/o Raj Kumar Singh, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayat Raj, Govt. of Bihar, Patna.
2. The State Election Commission through the State Election Commissioner at and P.O.- Patna.
3. District Magistrate, East Champaran, Motihari-Cum-District Returning Officer, Panchayat Election, East Champaran, Motihari.
4. District Panchayat Raj Officer, East Champaran, Motihari.
5. Block Development Officer-cum-Block Returning Officer, Block - Dhaka, (Panchayat), P.O. and P.S.- Dhaka, East Champaran, Motihari.
6. The Circle Officer, Dhaka Anchal, P.O. and P.S.- Dhaka, East Champaran, Motihari.
7. Ragini Kumari, W/o Rajesh Kumar, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.
8. Anita Devi, W/o Sunil Kumar Patel, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.
9. Bachhi Devi, W/o Satya Prakash Singh, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.
10. Sushila Devi, W/o Virendra Singh, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.
11. Vindu Devi, W/o Brij Kishore Singh, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District- East Champaran, Motihari.
12. Amla Pati Devi, W/o Brij Kishore Singh, Resident of Village - Vikrampur, Panchayat Gahai, Block - Dhaka, P.O. and P.S.- Dhaka, District - East Champaran, Motihari.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti, Advocate
For the Respondent/s : Mr. P.N. Shahi (AAG-6)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH



and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 17-05-2022 On the ground of ineligibility of respondent No. 7 to contest election for the post of *Mukhiya*, present writ application has been filed seeking a declaration that her election to the said post is invalid.

In our opinion, in the facts and circumstances of the case, this writ application under Article 226 of the Constitution of India does not deserve to be entertained, in view of the provision under Article 243 O of the Constitution and Section 138 of the Bihar Panchayat Raj Act, 2006 read with Rule 106 of the Bihar Panchayat Election Rules, 2006.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

K.K.RAO/-

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