

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11249 of 2024

Tarannum Wife of Soyab, Daughter of Md. Ali Muzaffar, Resident of Village-Khapra, P.O.- Piyaji, P.S.- Amour, District- Purnea, Presently Mukhiya, Gram Panchayat- Khapra, P.S. Amour, Block- Amour, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Dept. Govt. of Bihar, Patna.
2. The Addl. Chief Secretary, Panchayati Raj Dept. Govt. of Bihar, Patna.
3. The District Election Officer (Panchayat)-cum District Magistrate, Purnea.
4. The District Panchayat Raj Officer, Purnea.
5. The Sub- Divisional Officer, Baisi, District- Purnea.
6. The Circle Officer, Amour, District- Purnea.
7. The State Election Commission Panchayat, Sone Bhawa, Bir Chand Patel Path, Bihar Patna through the State.
8. The State Election Commission Panchayat, Sone Bhawan, Bir Chand Patel, Bihar, Patna, through its Officer on Special Duty.
9. The Secretary, the State Election Commission, Panchayat, Sone Bhawan, Bir Chand Patel, Bihar.
10. Shagufa Begam Daughter of Md. Akhtar Hussain, Resident of Village-Bhelakhuwa, P.S.- Amour, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate
For the Respondent/s	:	Mr.Subhash Pd. Singh, GA-3
For respondent no.10	:	Mr. Viveka Nand Singh, Advocate
For SEC	:	Mr. Ravi Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-09-2024 Heard Mr. S.B.K. Mangalam, learned counsel for

the petitioner, Mr. Subhash Pd. Singh, learned G.A.-3, Mr.

Viveka Nand Singh, learned counsel for respondent no.10 and

Mr. Ravi Ranjan, learned counsel representing the State



Election Commission.

2. The petitioner has prayed for the following reliefs:

(i) for issuance of an appropriate writ/order/direction quashing /setting aside the order dated 09.07.2024 passed by the respondent-State Election Commissioner, Bihar in case no. 31/2023, by which he has declared the petitioner as disqualified under section 135 read with 136 (2) of the Bihar Panchayat Raj Act, 2006 (henceforth for short 'the 2006 Act') and also has directed the Respondent District Election Officer(Panchayat) cum-District Magistrate, Purnea to take appropriate action against the petitioner under Section 125 (A) of the 2006 Act;



(ii) Further prayer is for issuance of an appropriate writ/order/ direction staying the operation of the order dated 09.07.2024 and also restraining the Respondent District Election Officer (Panchayat) -cum- District Magistrate- Purnea from canceling the caste certificate of the petitioner during the pendency of this writ application.

(iii) for grant of any relief or reliefs as fit and proper, in the facts and circumstances of the case.

3. It has been informed by Mr. Mangalam that against the decision taken by the Caste Scrutiny Committee, General Administration Department, Bihar, Patna, the writ petition being C.W.J.C. No. 11829 of 2024 has been filed which is pending consideration.

4. Since the present order has been passed pursuant to the decision taken by the Caste Scrutiny



Committee, he may be granted liberty to approach this Court after a decision is taken in the writ petition aforesaid on the order passed by the said committee.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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