

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13990 of 2015

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Pinku Kumar @ Krishna Murari, son of late Nawal Kishore Singh @ Battan Singh, presently Mukhia Gram Panchayat Ekrama, P.S.- Chewara, resident of Village- Kemra, P.S.- Ariyari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, State Election Commission at Bihar, Patna.
2. The Secretary, State Election Commission, Bihar, Patna.
3. The District Magistrate, the Election Officer, Sheikhpura.

..... Respondent 1st Set.

4. Ajay Kumar, son of Karja Anand Shurma, resident of Village- Kemra, P.S.- Ariyari, District- Sheikhpura.
5. Ranjay Kumr, son of Rameshish Singh, resident of Village- Godua, P.S.- Chewara, District- Sheikhpura.
6. Ramkishun Yadav, son of Munsii Yadav, R/o Village- Ekrama, P.S.- Chewara, District- Sheikhpura.
7. Satyendra Narayan Singh, son of Manohar Singh, R/o Village- Gudua, P.S.- Chewara, District- Seikhpura.
8. Ashok Kumar Chauhan, son of Shivalak Mahto, R/o Village- Rajaura, P.S.- Ariyari, District- Sheikhpura.
9. Ashutosh Kumar, son of Vidya Bhusan Singh, R/o Village- Ekrama, P.S.- Chewara, District- Seikhpura.
10. Bijendra Prasad Singh, son of Punit Narayan Singh, R/o village- Ekrama, P.S.- Chewara, District- Seikhpura.
11. Kanhaiya Lal Prasad, son of Ramaksha Singh, R/o Village- Ekrama, P.S. Chewara, District- Seikhpura.
12. Smt. Rani Devi, W/o Ashok Singh, R/o Village- Ekrama, P.S. Chewara, District- Seikhpura.
13. Bhagwan Prasad Kushwaha, son of Kailash Prasad, R/o Village- Belkundi, P.S.- Ariyari, District- Seikhpura.

..... Respondents IInd Set

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh
For the Respondent-State : Mr. Ashok Priyadarshi- GA-4
For State Election Commission: Mr. Amit Shrivastava
Mr. Girish Pandey

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 07-09-2015 Counsel for the parties are present and have been heard.

The petitioner is aggrieved by the order dated

4.7.2015 passed by the Munsif, Sheikhpura in Election Case No.02 of 2011, whereby the plaintiff has been permitted to lead a copy of the FIR of Pakari Barama P.S. Case No.100 of 2010, the order taking cognizance as well as the charge-sheet by way of evidence in the election dispute at the stage of argument.

The only issue that has been raised by the petitioner to question the order passed by the learned Munsif that it is made belatedly and has been allowed at the stage of argument.

It is by now well settled that the power is vested in the trial court to take on record any evidence at any stage including the argument stage provided it has nexus to the issue in dispute and is relevant for its adjudication.

Considering the opinion expressed by the learned Munsif for granting such prayer I am not persuaded to interfere with the order impugned and the writ petition is accordingly disposed of

(Jyoti Saran, J)

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