

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15727 of 2014

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Om Prakash S/o Late Kishor Lal residing at Ward No. 40, Upper D, P.S.
Civil Line, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Nagar Vikash Avam Awash Bibhag, Bihar, Patna.
2. The State Election Commission, Bihar, Patna.
3. The Secretary, Nagar Vikash Avam Awash Bibhag, Bihar, Patna.
4. The District Magistrate-cum-District Election Officer, Gaya, Dist - Gaya.
5. Rajendra Prasad Singh S/o - Late Bachchan Prasad Singh R/o Dev Choura, Sanghaghat 18 P.S. Civil Line, District AND Town - Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 14-12-2015 Counsel for the parties are present.

Mr. Dhananjay Kumar Gupta fairly admits that Case No. 17 of 2013 has since been disposed of by the State Election Commission and which order has been questioned by the petitioner in CWJC No. 4509 of 2015.

The writ petition was filed questioning the jurisdiction of the Commission to continue with the complaint case *inter alia* on grounds that for the same reason the complainant had also filed Election Petition No. 1 of 2012 and 4 of 2012 which were pending before the Sub Judge-III, Gaya.

In the circumstances, a prayer was made to stay the

complaint case pending before the Election Commission until disposal of the matter before the Civil Court.

In the circumstances that the matter has since been disposed of by the State Election Commission, the prayer so made by the petitioner in this application has been rendered infructuous and is disposed of accordingly. The petitioner, however, would be permitted to raise all issues as raised herein while contesting the matter in CWJC No. 4509 of 2015.

S.Sb/-

(Jyoti Saran, J)

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