

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8557 of 2015

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1. Tara Munni Devi Wife of Sri Bhim Singh Resident of village - Salaha,
Police Station - Garkha, District - Saran at Chapra

.... Petitioner/s

Versus

1. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commission
2. The District Election officer (Panchayat) - Cum - District, Saran at Chapra, District - Saran at Chapra
3. The Returning officer - Cum - Block Development officer, Garkha, District - Saran at Chapra
4. The Assistant Returning Officer, Kudarbadha, Garkha, District - Saran at Chapra
5. Uhsa Devi Wife of Sri Ratnesh Kumar Singh Resident of village - Bishwambharpur, P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
6. Anandi Devi Wife of Raj Kishore Singh Resident of Village - Parsa, P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
7. Renu Singh Wife of Surendra Singh Suraj Resident of village & P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
8. Champa Devi Wife of Panchanand Singh Suraj Resident of village & P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
9. Seema Devi Wife of Sri Niwas Singh Resident of village & P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
10. Lalita Devi Wife of Arun Singh Resident of village & P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
11. Urpmila Devi Wife of Ramji Rai Resident of Village - Ismilepur, P.O. Rampur, P.S. Garkha, district - Saran at Chapra
12. Indu Devi Wife of Anandi Rai Resident of Village - Ismilepur, P.O. Rampur, P.S. Garkha, district - Saran at Chapra
13. Sita Devi Wife of Upendra Rai Resident of village - Bishwambharpur, P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
14. Urmila Devi Wife of Sri Bhola Prasad Singh Kushwaha Resident of village - Bishwambharpur, P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
15. Sarita Devi Wife of Anuj Kumar Singh Resident of village - Bishwambharpur, P.O. Kudarbadha, P.S. Garkha, District - Saran at Chapra
16. Mina Devi Wife of Ram Pratap Singh Resident of village - Salaha, Police Station - Garkha, District - Saran at Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bindhyachal Singh &
Mr. Satya Prakash
For the Respondent/s : Mr. Amit Shrivastava
Mr. J. Girish Pandey.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI
ORAL ORDER

2 13-07-2015

The whole game of the petitioner seems to be to
ensure that he completes his tenure as elected representative

before adjudication of the election petition. Even trial court after taking into consideration the prayer of the petitioner has expressed its opinion as to why it is required to be rejected.

Let the Election Tribunal proceed with the matter and decide the election petition without further delay. If abrasions arises in such adjudication, then there is judicial review available to the petitioner but the Court will not interfere with the decision which will only ensure the election petition to become infructuous which is the primary object behind this writ application challenging the impugned order.

The plea of the petitioner that the witnesses in question are vital and will materially affect is also a question of law coupled with the question can very well be looked into by the Tribunal. The apprehension of the petitioner in this regard seems to be misplaced because the Election Tribunal shall keep all these aspects into consideration and will surely go into those questions.

This writ application stands dismissed with the observation as above.

(Ajay Kumar Tripathi, J)

Amin/-

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