

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2217 of 2014

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Mahadeo Jha S/O- Ramchandra Jha, resident of village- Ganaun, P.S.- Ghanshayampur, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga
2. The District Magistrate-Cum-District Election Officer (Panchayat), Darbhanga
3. The Sub-Divisional Officer, Biroul, Darbhanga
4. The Deputy Collector Land Reforms, Biroul, Darbhanga
5. The Joint Election Commissioner-Cum- Additional Secretary, State Election Commission, Bihar, Patna
6. The Secretary, State Election Commission, Bihar, Patna
7. Murlidhar Jha S/O- Ram Shankar Jha R/O- Ganaun, P.S.- Ghanshayampur, District- Darbhanga
8. The Branch Manager, Mithila Kshetriya Grameen Bank, Kasraur Branch, Darbhanga

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.14545 of 2014

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Mahadeo Jha S/o Ramchandra Jha, resident of village Ganaun, P.S. Ghanshayampur, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Darbhanga.
2. The District Magistrate-cum-Election Officer (Panchayat), Darbhanga.
3. The Sub Divisional Officer, Biroul, Darbhanga.
4. The Deputy Collector Land Reforms, Biroul, Darbhanga.
5. The Joint Election Commissioner-cum-Additional Secretary, State Election Commission, Bihar, Patna.
6. The Secretary, State Election Commission, Bihar, Patna.
7. Murlidhar Jha S/o Ram Shankar Jha R/o Ganaun, P.S. Ghanshayampur, District Darbhanga.
8. The Branch Manager, Mithila Kshetriya Grameen Bank, Kasraur Branch, Darbhanga.

.... Respondent/s

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Appearance:

(In CWJC No.2217 of 2014)

For the Petitioner/s : Mr. Amish Kumar, Advocate

For the Respondent/s : Mr. V.K. Singh, GA-3

(In CWJC No.14545 of 2014)

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

Mr. Amish Kumar, learned counsel for the petitioner in writ petitions, learned counsel for the State, Mr. Abhay Thakur for the private respondent and Mr. Girish Pandey for the Election Commission have been heard.

It is not in dispute that following the order passed by the Deputy Collector, Land Reforms, Biroul bearing Memo No. 413

dated 10.3.2014, an FIR has been instituted under Section 125(ka) (3) of the Act giving rise to Biroul P.S. Case No. 271 of 2014 and Mr. Abhay Kumar Thakur appearing for the private respondent submits that even the charge sheet has been submitted though Mr. Kumar appearing for the petitioner submits that he has no information about the same.

Be that as it may, considering the circumstances where the orders impugned in the two writ petitions have taken its effect by the institution of the FIR, nothing survives in the writ petition and both the writ petitions are accordingly disposed of affording liberty to the petitioner to question the legality and validity of the FIR and to raise all issues as raised in the present writ petitions in an appropriate proceedings before the appropriate forum. It is made clear that this Court has not delved into the merits of the issues raised by the petitioner.

S.Sb/-

(Jyoti Saran, J)

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