

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11908 of 2015

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Sri Krishna Singh, son of Kaulpati Singh, resident of Village -Jehanabad,
Post + Police Station - Kudra, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The Bihar State Election Authority through its Secretary, Patna.
2. The Additional Registrar, Co-operative Society, Bihar, Patna.
3. The District Magistrate, Kaimur at Bhabua.
4. The District Co-operative Officer, Kaimur at Bhabua.
5. The Deputy Development Commissioner, Kaimur at Bhabua.
6. The Sub - Divisional Officer, Kaimur at Bhabua.
7. The Election Officer -cum- Block Development Officer, Block Kudra, Kaimur at Bhabua.
8. The Election Officer -cum- Block Development Officer, Block-Bhabua, Kaimur at Bhabua.
9. Abhay Pratp Singh, son of Praduman Pratap Singh,
10. Purushottam Tiwary, son of Suhpat Tiwary @ Sudrisht Tiwary,
11. Binod Kumar Pal, son of Keshav Pal,
12. Vivek Kumar Singh, son of Ravindra Singh,

Respondent Nos. 8 to 11 all are residents of village - Jehanabad,
Post + Police Station - Kudra, District - Kaimur at Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Respondent/s : Mr. Mani Kant Mishra, GP-25

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-08-2015

Heard the parties.

The petitioner, a contestant to the post of Chairman, Primary Agriculture Credit Cooperative Society, Jehanabad, has questioned the election of respondent no.9, inter alia, on grounds of infirmity in the voter-list as well as on grounds that the respondent no.9 is a voter in two societies. It is not in dispute that these facts were existing on the date of election and were in well within the knowledge of the petitioner and he

could thus bring the infirmities in the voter list to the knowledge of the statutory authority concerned but the petitioner did not do so rather contested the election on the same voter list and after loosing the election he endeavours to question the election of the private respondent on the anvil of illegal voter-list and which is also the basis to question the eligibility of respondent no.9 to contest the election.

The writ petitioner having taken a calculated risk to contest the election, after loosing the same he cannot be permitted to question its validity on the infirmities in the voter list. The judgment of this Court rendered in the case of **Nasimuddin vs. State** reported in **2006 (1) PLJR 184** is conclusive on the issue and was rightly relied upon by the Statutory authority to reject the claim of the petitioner.

This writ petition is dismissed.

(Jyoti Saran, J)

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