

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13948 of 2005

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Shambhu Prasad Singh son of late Haribansh Narayan Singh resident of village
Kathaura, P.O. Jahangira Tola, P.S. and District Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
 2. the State Election Commission, Bihar, Patna through its Commissioner
 3. The District Electoral Officer (Panchayat)-cum-Collector, Khagaria
 4. The Block Electoral Officer (Panchayat)-cum-Block Development Officer,
Khagaria
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Adv.
Mr. Kumar Praveen, Adv.

For the Respondent/s : Mr. Sanjeev Nikesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 06-11-2015

None appears on behalf of the petitioner.

Learned counsel for the State and Mr. Sanjeev Nikesh learned
counsel for the State Election Commission are present.

The petitioner in this writ petition has questioned the order
dated 30.9.2005 passed by Munsif, Khagaria in Election Petition No.2
of 2001 whereby the election petition filed by the private respondent
has been allowed and the election petition to the post of Mukhiya has
been set aside and reelection has been directed.

Mr. Nikesh learned counsel for the State Election Commission
informs that the election was held in 2001 and no sooner thereafter the
election petition was filed questioning the election of the writ
petitioner by the private respondent No.5 and which has been allowed

by the impugned order passed on 30.9.2005. He submits that the tenure of Mukhiya expired in 2006 and thus the writ petition which was admitted on 31.1.2006 has been rendered infructuous by passage of time.

Considering the circumstances and the submissions of learned counsel the writ petition is dispose of as having become infructuous.

(Jyoti Saran, J)

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