

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2593 of 2014

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1. Saroj Devi W/O Sudhir Pandit Resident of Village- Rahui, P.O And P.S- Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State Election Commission, through its Secretary. Bihar, Patna.
2. The Election Officer- Cum- B.D.O. Block- Rahui, P.O- Rahui, District- Nalanda.
3. The Assistant Election Officer-Cum- District Supply Officer, Rahi, District- Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar, Adv.

For the Respondent/s : Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 06-11-2015

None appears on behalf of the petitioner.

Mr. Girish Pandey learned counsel appearing for the State Election Commission submits that the writ petition has been rendered incompetent by non- compliance of the order passed by this Court on 9.3.2015 whereby notices were directed to be issued to the private respondents and which order has not been carried out. He submits that in absence of notice to the private respondents which also includes the returned candidate who is respondent No.4, this writ petition has become incompetent. The position so submitted by Mr. Pandey is also reflected from the office note put up by the office. The office note also reflects that intimation in this regard was given to the counsel for the petitioner as back as on 29.6.2015 but no steps has

been taken by him either to rectify the error or to file any restoration application.

In the circumstances the writ petition is dismissed as having become incompetent.

(Jyoti Saran, J)

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