

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.874 of 2015

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Ramnaresh Singh son of Late Rameshwar Prasad, resident of village-
Tribhuwan Bigha, P.S.- Tharthari, District- Nalanda.

.... Petitioner/s

Versus

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1. 1. The Bihar State Election Authority through its Secretary, 32, Harding Road, Patna-800001
 2. 2. The Chief Election Officer, Bihar State Election Authority, 32, Harding Road, Patna-800001
 3. The District Magistrate-cum-District Election Officer (Co-operative Societies), Nalanda at Biharsharif.
 4. The District Co-operative Officer-cum-Deputy Election Officer (Co-operative Societies), Nalanda at Biharsharif.
 5. The Assistant Registrar, Co-Operative Societies, Nalanda at Biharsharif.
 6. The Block Development Officer-cum-Returning Officer (Co-operative Societies), Tharthari, District-Nalanda at Biharsahrif.
 7. The Circle Officer, Tharthari, District- Nalanda at Biharsharif.
 8. Sri Anugarah Narayan, returned candidate of Narayanpur Primary Agriculture Credit Society, son of Sri Kayanand Prasad, resident of village- Sheikhpura Digh, P.S.-Tharthari, District-Nalanda at Biharsharif.
 9. Sri Purshottam Kumar, son of Sri Rampravesh Prasad, resident of village- Rupaspur, P.O.- Bakpur, P.S.- Tharthari, District- Nalanda at Biharsharif.
 10. Smt. Punchun Devi wife of Sri Anil Kumar, resident of village- Sheikhpura Digh, P.S. - Tharthari, District- Nalanda at Biharsharif.
 11. Smt. Bhanumati Kumari wife of Sri Sunil Kumar, resident of village- Sheikhpura Digh, P.S.-Tharthari, District- Nalanda at Biharsharif.
 12. Smt. Ilachi Devi wife of Sri Mithilesh Manjhi, resident of village- Sheikhpura Digh, P.S.-Tharthari, District- Nalanda at Biharsharif.
 13. Smt. Champa Devi wife of Sri Mannu Jaiswal, resident of village- Rupaspur, P.O.-Bakpur, P.S.-Tharthari, District- Nalanda at Biharsharif.
 14. Sri Umesh Prasad, son of Late Budhani Mahto, resident of village- Banshdih, P.S. -Tharthari, District- Nalanda at Biharsharif.
 15. Smt. Bibha Kumari wife of Sri Dharmendra Kumar, resident of village- Rupaspur, P.O.-Bakpur, P.S.- Tharthari, District- Nalanda at Biharsharif.
 16. Sri Manoj Kumar, son of Sri Rajendra Singh, resident of village- Sheikhpura Digh, P.S.- Tharthari, District- Nalanda at Biharsharif.
 17. Sri Chandra Bhushan Prasad, son of Sri Basant Ram, resident of village- Narayanpur, P.S.-Tharthari, District- Nalanda at Biharsharif.
 18. 18. The Narayanpur Primary Agriculture Credit Society, P.S.- Tharthari, District- Nalanda at Biharsharif.

.... Respondent/s

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Appearance:

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

For the Respondent/s : Mr. Roy Shivaji Nath, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 31-03-2015 The petitioner complains of infirmity in the voter list of Narayanpur Primary Agriculture Credit Co-operative Society and which has invalidated the election.

Mr. Sanjay Kumar while making such submission admits that the election is over and was held on 12.11.2014 and the result has also been published on 13.11.2014.

In the circumstances that the election is over, the appropriate remedy for the petitioner would be by way of raising an election dispute under the provisions of the Bihar State Election Authority Act, 2008 read with the provisions of the Bihar Co-operative Societies Act, 1935 and the petitioner can avail of such remedy, if so advised.

Mr. Kumar submits that although he has raised such dispute before this Court within the prescribed period of 90 days but since the petitioner is being relegated to avail the remedy of the election dispute, the said period stands over and thus the time consumed in pursuing the remedy may be protected.

It goes without saying that any such application being filed by the petitioner within 30 days from today would be treated to be an application filed within the prescribed period.

The writ petition is disposed of.

(Jyoti Saran, J)

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