

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11197 of 2000

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1. Kedar Prasad, son of late Janak Dhari Sah of Bhawadepur Ward No.14 (New) 12 (Old) District General Secretary of Bihar Khudara Bikrata Sangh, Sitamarhi Unit
 2. (a) Kamala Devi, wife of late Hari Shanker Prasad
(b) Sunil @ Sunil Kumar
 © Anil Kumar, both sons of late Hari Shankar Prasad, residents of Mohalla Court Bazar, Sitamarhi Town, PS. & District Sitamarhi
(d) Bharti Satyarthi, D/O late Hari Shanker Prasad, wife of Ramendra Satyarthi, resident of Mohalla Khir Gaon, Hazari Bag Town, PS and District Hazaribag, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector of Sitamarhi
3. The Deputy Development Commissioner, Sitamarhi
4. Sri Shahid Ali Khan, son of Badiuzna Khan resident of Village Akhta P.S. Akhtaghat, P.S. Bairganja, District-Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhav Roy,
Mr. Rabindra Nath Tiwari, Advocates.
For the State : Mr. Dr. Punam Kumar Singh, AC to G.P.4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-04-2015

Heard learned counsel for the petitioners and learned counsel for the State.

In the present writ petition petitioners are challenging the policy decision dated 21.8.2000 by which State of Bihar has framed the scheme in the name and style of MLA fund, Rs.50,00,000/- was meant to each MLA for the purpose of development of their respective constituency.

Learned counsel for the petitioners submits that the

person whose election is under cloud by challenging his/her election should not be allocated the MLA fund.

Learned counsel for the State has submitted that the scheme framed by the State Government has already been withdrawn with the substitution of another scheme, namely, Mukhya Mantri Vikash Yojna Nidhi for the development of infrastructure of various parts of State of Bihar.

In such view of the matter when the scheme itself has been withdrawn there is no need for this Court to test efficacy of the scheme and give any opinion. In such view of the matter, this writ petition has rendered infructuous. Accordingly this writ petition is dismissed.

Vinay/-

(Shivaji Pandey, J)

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