

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11747 of 2014

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Ramesh Kumar Raman S/o Late Naubat Lal Yadav resident of Village-
Bhagipur, P.S- Alam Nagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Collector-cum-District Returning Officer, District- Madhepura.
2. The Returning Officer, Alam Nagar for G.P. Narthua, Bhagalpur along with G.P. Sadasya Sankya- 16, P.S- Alam Nagar, District- Madhepura
3. The Block Development Officer, Alam Nagar, P.S- Alam Nagar, District- Madhepura.
4. Kiran Devi W/o Sachindra Yadav resident of Village- Narthua, P.S- Alam Nagar, District- Madhepura.
5. Mamta Devi W/o Anil Kumar Yadav, resident of Village- Narthua, P.S- Alam Nagar, District- Madhepura.
6. Md. Moim S/o Late Badruddin, resident of Village- Bhagipur, P.S- Alam Nagar, District- Madhepura.
7. Saroj Kumar S/o Nageshwar Yadav, resident of Village- Bhagipur, P.S- Alam Nagar, District- Madhepura.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Respondent/s : Mr. S.K. Sinha,

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 05-10-2015 Heard Mr. Shri Prakash Shrivastava, learned counsel

appearing for the petitioner and Mr. Amit Kumar Anand, Assisting

Counsel to G.P. 3 for the State.

The petitioner is aggrieved by the judgment and order dated 17.4.2014 passed by the learned Sub-Judge-I, Madhepura-cum-Election Tribunal, Madhepura in Election Petition No. 1 of 2011 whereby the election petition has been dismissed.

I have heard learned counsel for the parties and I have

perused the records.

Although the election petitioner has raised several issues but apart from the fact that there is nothing on record to demonstrate any protest made by the petitioner, even the prayer made by the election petitioner in his election petition is fatal to the grievance raised for nowhere the petitioner has prayed for recounting before seeking a declaration in his favour.

In these uncontested circumstances, the plea of irregularity so made by the petitioner in absence of any prayer for recount before the Tribunal cannot be entertained at this stage and the writ petition is accordingly disposed of.

(Jyoti Saran, J)

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