

IN THE HIGH COURT OF JUDICATURE AT PATNA
Election Petition No.3 of 2014

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Sri Upendra Ram, son of Sri Chulhai Ram resident of village + P.O.
Kuwardh, P.S. Jainagar District Madhubani

.... Petitioner

Versus

1. Sri Birendra Kumar Chaudhary son of Anantlal Chaudhary resident of
village Choura Mahrail P.S. Jhanjharpur District Madhubani.
2. Returning Officer Jhanjharpur, 07 Jhanjharpur Parliamentary
Constituency cum Additional District Magistrate Madhubani.

.... Respondents

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

15 21-05-2015

I.A. No. 123 of 2015

This interlocutory application has been filed for
cancellation of vakalatnama. However, at the time of hearing the
petitioner submits that he wants to appear in person in this matter.

In above view of the matter, I.A. No. 123 of 2015
stands disposed of granting such permission to the petitioner.

I.A. No. 124 of 2015

This application has been filed under Section 109 of
the Representation of People Act, 1951 (hereinafter referred to as
“the Act”).

On the earlier occasion this matter was taken up on
21.1.2015 and a direction was given for publication of notice at
the instance of the election petitioner under Section 109(2) of the
Act in the Bihar Gazette and the petitioner was directed to bear
the cost upon which he undertook and deposited a sum of Rs.

5,000/- by way of tentative cost for such publication. The notice has already been published in the Bihar Gazette Extra Ordinary dated 30th of March, 2015 and till date nobody has made any application for substitution as petitioner in this matter in terms of sub section (2)(c) of Section 110 of the Act.

In above view of the matter on being satisfied with the bona fide of the application filed by the petitioner I allow him to withdraw the election petition.

Accordingly, the same stands withdrawn subject to payment of a cost as Rs. 5000/- considering that the petitioner is a voter of the concerned constituency.

It appears that the petitioner, has already deposited Rs. 5000/- for the purpose of publication of notice.

Let the office calculate the amount which has been spent for publication of notice and return the balance, if any, to the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

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