

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18479 of 2014**

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1. Manohar Roy Son of Late Shukdeo Roy Resident of Mohalla- Ishakchak,  
Shyamal Das Lane and Distt.- Bhagalpur

.... .... Petitioner/s

Versus

1. The State of Bihar through Department of Election, Bihar ,Patna  
2. The District Magistrate, Bhagalpur  
3. The State Election Commissioner, Bihar, Patna  
4. The Returning Officer Cum Land Reforms Deputy Collector, Bhagalpur  
5. The Additional District Magistrate, Ceiling at Bhagalpur District-  
Bhagalpur.  
6. The Bhagalpur Municipal Corporation, Bhagalpur.  
7. Ramashish Mandal Son of Late Dwarika Mandal Resident of Mohalla-  
Ishakchak Ward No.48, House No.9, P.S-Ishakchak, Distt.-Bhagalpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anupa Nand Jha, Adv.

For the Respondent-SEC: Mr. Amit Shrivastava, Adv.

Mr. Girish Pandey, Adv.

For the respondent No.6 : Mr. Ravi Bhushan Verma, Adv.

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**ORAL ORDER**

2      13-01-2015      The petitioner has challenged the election of the respondent No.  
  
7 as Ward Councillor, Ward No. 48, Bhagalpur in the election held in  
  
2012 by filing an Election Petition No. 3 of 2012 which is pending  
  
consideration before the Sub-Judge 1<sup>st</sup>, Bhagalpur. Even when the said  
  
Election dispute is pending before the Tribunal, that the petitioner has  
  
also moved the State Election Commission by filing an election case  
  
before the said forum. The petitioner thus is pursuing two forums for  
  
the same relief. This is not permissible in law, the petitioner would have  
  
to select one of the forums.

The writ petition is accordingly disposed of.

**(Jyoti Saran, J)**

Bibhash/-

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