

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1517 of 2013

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Smt. Indu Devi W/O Kailash Prasad Mandal Resident Of Ganga Karharia
Panchayat, Kasimpur, P.S. Goradiah, Distt.- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate, Bhagalpur
3. District Panchayat Raj Officer, Bhagalpur
4. Saraswati Devi W/O Tarkeshwar Mandal Resident Of Village-
Kasimpur, P.S. Goradiah, Distt.- Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Respondent/s : Mr. Md. N. Hoda Khan Sc18

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

3 24-11-2015 Heard the learned counsel for the petitioner.

Calling in question the impugned order by which the
prayer of the petitioner to call for certain documents has been
rejected, the present application under Article 227 of the
Constitution of India has been filed.

The learned counsel for the petitioner has submitted
that the learned court below has committed illegality in rejecting
the petition as the documents which were prayed to be called were
relevant for determination of the issues in the suit.

After considering the submissions and the perusal of
the impugned order, it is manifest that the learned court below has

recorded that the petitioner has failed to establish prima facie case in his favour for calling for the documents as prayed. It has been specifically found by the court that no detail or description of the notification sought to be called for has been mentioned in the petition. The learned court below has also taken into consideration the well settled principle that the secrecy of the ballot papers is to be maintained and no roving or fishing enquiry should be embarked upon.

This Court does not find illegality or irregularity in the impugned order. The writ application is accordingly, dismissed.

(V. Nath, J)

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