

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15679 of 2013

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Dilip Kumar Singh, S/o Harish Chandra Prasad Singh, General Secretary, Purva Madhya Railway Mazdoor Sangh, Hajipur, Quarter No.1, Road No.1, Gardanibagh, Patna. (Substituted by the present order by expunging the original petitioner Rajesh Kumar Jha (since deceased)..

.... Petitioner/s

Versus

1. The Union of India through the General Manager, East Central Railway Zone, Hajipur.
2. The C.P.O. cum Returning Officer, East Central Railway, Hajipur.
3. General Secretary, East Central Railway, Karmchari Union, Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary

For the Respondent/s : Mr. Mahesh Prasad

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 31-03-2016

Heard the parties.

Re: I.A. No.2466 of 2016:

This interlocutory application has been filed for substitution of the writ petitioner Rajesh Kumar Jha who has since deceased during the pendency of the writ petition. The present Secretary, Dilip Kumar Singh prays for substitution at his place. The Vakalatnama on behalf of Dilip Kumar Singh is on record.

In the circumstances discussed, let the name of the deceased writ petitioner Rajesh Kumar Jha be expunged and be substituted by Dilip Kumar Singh whose Vakalatnama is on record.

I.A. No.2466 of 2016 is disposed of.

Re: CWJC No.15679 of 2013:

The petitioner questions the result of elections of the Union/Federation of the Indian Railways.

The forum chosen by the petitioner to question the election result is not correct for an election cannot be put to question by way of writ proceedings for it involves leading and appreciation of evidence. In case there is no forum provided under the Regulation regulating such election as canvassed by learned counsel then the petitioner would be at liberty to question the same by taking recourse to the civil law remedy but in the nature of the dispute raised herein the writ petition is not maintainable and is accordingly disposed of.

(Jyoti Saran, J)

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