

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9098 of 2014

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Gulabjhari Devi W ife of Sri Ramayan Singh Resident of Village - Kant,
P.O. Kant, P.S. Brahampur, Distt. - Buxar

.... Petitioner/s

Versus

1. Punam Devi Wife of Shri Anil Kumar Singh
2. Asha Devi wife of Shri Ravindra Yadav
3. Smt. Kamlawati Devi wife of Sri Harihar Singh Kushwaha
4. Smt. Kalwati Devi wife of Sri Ramashish Yadav
5. Smt. Kailasho Devi wife of Vyasmuni Singh
6. Smt. Sunita Devi wife of Late Devkumar Yadav
7. Smt. Dewanti Devi wife of Sri Dhanajay Yadav All resident of Village -
Kant, P.O. Kant, P.S. Brahampur, Distt. - Buxar
8. Smt. Dhan Kumari Devi Wife of Sri Shashi Bhushan Pandey
9. Smt. Sunitra Devi wife of SRi Surendra Choudhary
10. Smt. Soniya Devi wife of Sri Nirmal Yadav
11. Smt. Usha Devi wife of Sri Shailendra Kumar Yadav All are resident
of village + P.O. Ranathuwan, P.S. Brahampur, Distt. - Buxar
12. Smt. Pushpa Devi wife of Sri Yogendra Pathak
13. Smt. Puja Devi wife of Sri Vinod Kushawaha
14. Smt. Sona Devi wife of Sri Shamsher Sharma All are resident of village
- Bharkhar, P.S. Brahampur, Distt. - Buxar
15. The State Election Commission (Panchayat at the office of the State
Election Commission, Sone Bhawan, 3rd Floor, Birchand Patel Marg,
Patna

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 28-04-2016

No body appears on behalf of the petitioner in
spite of repeated calls.

This application has been filed for quashing
the impugned order by which the learned court below has refused
to recall the order for proceeding ex parte against the petitioner in
the Election Case No.09/2011.

From the perusal of the impugned order it is evident that the order for proceeding ex parte against the opposite party-petitioner has been passed on 18.02.2012 after exhausting all the procedure for notice upon her for appearance. It has also been found that the petition has been filed claiming relief mainly against the defendant no.1 Usha Devi and the present petition has been filed by the petitioner in collusion with the said Usha Devi. It has also been found by the learned court below that no sufficient cause or explanation has been furnished by the petitioner for non-appearance in the proceeding earlier.

In view of the aforesaid facts and circumstances of the case, this Court is not inclined to interfere in the impugned order invoking the jurisdiction under Article 227 of the Constitution of India.

This application is, accordingly, dismissed

(V. Nath, J)

Nitesh/-

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