

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.911 of 2016

=====

1. Mantosh Kumar Yadav @ Santosh Yadav son of Sri Bhola Yadav
resident of village - Dakhram, Ward No. 11, Police Station - Bahera,
District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, State Election Commission, Bihar, Patna.
3. The District Magistrate cum District Election Officer (Municipality),
Darbhanga.
4. The Election Officer, Municipal Council cum Sub Divisional Officer,
Benipur, Darbhanga.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.918 of 2016

=====

1. Mangni Paswan Son of Late Dinda Paswan resident of village -
Dakhram, Ward No. 10, P.S. Bahera, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, State Election Commission, Bihar, Patna
3. The District Magistrate Cum District Election officer (Municipality),
Darbhanga
4. The Election officer, Municipal Council Cum Sub - Divisional officer,
Benipur, Darbhanga

.... Respondent/s

Appearance :

(In CWJC No.911 of 2016)

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh, G.A.3

(In CWJC No.918 of 2016)

For the Petitioner/s : Mr. Kumar Goutam, Adv.

For the Respondent/s : Mr. Sadanand Paswan, G.P.29

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-01-2016 In each of the two writ petitions the petitioners have

questioned the rejection of their nomination for the post of Ward

Councillor.

It is informed by Mr. Amit Srivastava learned counsel appearing for the Election Commission that the election has already taken place yesterday i.e. 17.01.2016.

Apart from the fact that a rejection of a nomination constitutes an election dispute to be questioned by way of an election petition that the election has already taken place, the petitioners would have to take recourse to the remedy as available to them under the provisions of the Bihar Municipal Act and the rules framed thereunder.

These two writ petitions are disposed of accordingly.

(Jyoti Saran, J)

Bibhash/-

U			
---	--	--	--