

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1545 of 2016

IN

Civil Writ Jurisdiction Case No. 9210 of 2016

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Veena Devi, Wife of Sri Chandradhekhari Jha, resident of village- Hardwar, Block- Ghanshyampur, P.S.- Ghanshyampur, District- Darbhanga

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Vikas Bhawan, New Secretariat, Patna, Bihar.
2. The Secretary, State Election Commission, Bihar, Patna
3. The District Magistrate-cum- District Election Officer (Panchayat), Darbhanga;
4. The Block Development Officer-cum- Block Election Officer (Panchayat), Ghanshyampur Block, Darbhanga;
5. The District Panchayati Raj Officer, Darbhanga;
6. Hashan Imam, S/o- Mazid Rahman, resident of village- Brahmpura, P.O.- Brahmpura Maswasi, P.S.- Ghanshyampur, District- Darbhanga.

.... Respondent/s

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Appearance :

For the Appellant/s : None

For State Election Commission: Mr. Amit Shrivastava, Advocate
Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-05-2017

In the matter of some error committed by the State Election Commission with regard to issuing a Notification under Rule 8 (4) of Bihar Panchayat Election Rules, 2006 and challenging the same the writ petition was filed before the election.

The learned Writ Court found that the elections are to be held on 1.7.2016 and a day before the election a writ for quashing the election on such error cannot be considered and, therefore, dismissed



the writ petition.

Now we are informed that the election to the constituency in question has already been held on 28th of September, 2016 and the results were declared on 02.12.2016 and thereafter remedy of election petition are available to the aggrieved persons and, therefore, at this stage now indulgence into the matter is not called for.

The appeal stands dismissed with the liberty available to the aggrieved persons to challenge the election if permissible under law by way of an election petition.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
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