

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1428 of 2017

In

Civil Writ Jurisdiction Case No. 10976 of 2016

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Ladli Sinha, Wife of Vijay Kumar, resident of Village- Asthawan, Post Office and Police Station- Asthawan, District- Nalanda at Bihar Sharif.

.... Appellant/s

Versus

1. The State Election Commission (Panchayat) Sone Bhawan, Birchand Patel Path, Patna through the State Election Commission.
2. The State Election Commission, the State Election (Panchayat) Sone Bhawan, Birchand Patel Path, Patna.
3. The Secretary, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
4. The District Magistrate -cum- District Election Officer (Panchayat) Nalanda at Bihar Sharif.
5. The Block Development Officer, Asthawan, District Nalanda at Bihar Sharif.
6. Mamta Kumari, Wife of Amit Kumar, resident of Village- Asthawan, Post Office and Police Station- Asthawan, District- Nalanda at Bihar Sharif.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Singh, Advocate
Mr. Sudish Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar, AC to AAG- 6
For the State Elec. Com. : Mr. Amit Shrivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 15-11-2017 As the order in the writ petition was passed on 11.09.2017 without taking note of the fact that an issue pertaining to rejection of application filed by the appellant under Order 7 Rule 11 of the C.P.C., Election Petition No. 02 of 2016 was pending before this Court bearing C.W.J.C. No. 8838 of 2017 and



the learned Writ Court had directed for disposal of the election petition within 10 weeks without taking note of the fact about the pendency of the writ petition filed by the petitioner, it is for the petitioner to bring all these facts to the notice of the Writ Court seeking modification or review of the order passed by the Writ Court.

That being so, we see no reason for making any indulgence into the matter. Accordingly, we dispose of the matter with the aforesaid liberty to the petitioner.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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