

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18563 of 2015

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M. Q. Jauhar, Human Rights Activist, Son of late Muhammad Ganimat, Resident of Sabzibagh, P.S. Pirbahor, District Patna.

.... Petitioner/s

Versus

1. The Election Commission of India through the Chief Election Commissioner, Nirwahan Bhawan, New Delhi.
2. The Chief Electoral officer, Bihar, New Secretariat, Patna.
3. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
4. The Home Secretary, Govt. of Bihar, Patna.
5. The Director General cum Inspector General of Police, Bihar, Patna.
6. Secretary, Ministry of Law and Justice, Govt. of India, New Delhi.
7. Union of India through Secretary, Home Affairs, New Delhi.

.... Respondent/s

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Appearance :

For the Petitioner	:	None
For the Election Commission :	:	Mr. Siddhartha Prasad, Advocate
For the State	:	Mr. Himanshu Kumar Akela, AC to PAAG-2
For the U.O.I.	:	Ms. Kanak Verma, C.G.C.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 18-01-2017

None appears for the petitioner even today. Even on 11th January, 2017, none had appeared on behalf of the petitioner.

In the present public interest litigation, the petitioner has sought implementation of recommendation of Justice (Retired) Shri N. N. Singh Commission on Bhagalpur riots to prevent happening of communal dis-harmony during elections in Bihar.

We do not find that any judicial intervention is warranted to ensure that there is no communal dis-harmony during



elections. It is the responsibility of the State to maintain law and order.
This Court cannot issue any direction to comply the obvious primary
duty of the State and/or Election Commission.

Consequently, the writ application is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R.
CAV DATE	N. A.
Uploading Date	20.01.2017
Transmission Date	

