

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4281 of 2015**

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Arvind Kumar Singh, S/o Late Vasudev Prasad, Ward Councilor, Ward No.2,  
Nagar Panchayat, Bodh Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. State Election Commissioner, Bihar, Patna and Ors.

.... .... Respondent/s

=====

**Appearance:**

For the Petitioner/s :

For the Respondent/s :

=====

**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE)**

**Date: 06-02-2017**

The petitioner has sought quashing of the order dated 29.01.2015 issued by the State Election Commission to the effect that the Commission has no role in respect of no-confidence motion in the municipality.

During the course of the argument, learned counsel for the petitioner submitted that there is allegation of corruption against respondent nos. 7 to 15, which is required to be investigated.

A perusal of the order dated 20.01.2015 passed by this Court in an earlier writ application filed by the petitioner shows that there was a motion for no confidence against the president, but on account of absence of respondent nos. 7 to 15, such no-confidence motion failed.



The petitioner is a member of the Nagar Panchayat. Once a motion has failed on the floor of the municipality, no grievance can be permitted to be made in a writ application, more so in public interest litigation. There is no specific allegation of corruption against respondent nos. 7 to 15 except that they have misconduct themselves for not being present in the meeting of the House in support of the disqualification requisition submitted by them.

We do not find that the petitioner can be granted any indulgence in the present writ application. The same is wholly misconceived. Thus, the same is dismissed.

**(Hemant Gupta, ACJ)**

**(Sudhir Singh, J)**

Mishra

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