

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.229 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 17541 of 2014**

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1. Harendra Kumar Thakur, S/o late Ramkripal Thakur, R/o village- Andauli, P.O.- Awadi, P.S.- Madhwapur, District- Madhubani
2. Ram Adhar Choudhary, S/o late Uttim Choudhary, R/o village- Andauli, P.O.- Awadi, P.S.- Madhwapur, District- Madhubani

.... Writ petitioners / Appellants

Versus

1. The State of Bihar, through the Principal Secretary Cooperative Department, Government of Bihar, Patna
2. The Bihar State Election Authority, 32, Harding Road, Patna, through Chief Election Officer, Patna.
3. The Registrar, Cooperative Societies, Bihar, Patna.
4. The District Magistrate, Madhubani
5. The District Cooperative Officer, Madhubani.
6. The Assistant Registrar, Cooperative Societies, Madhubani
7. The Block Cooperative Officer, Madhwapur, Madhubani, Block- Madhwapur, District- Madhubani.
8. The Block Development Officer, Block- Madhwapur, District- Madhubani
9. The Chairman, Primary Agriculture Cooperative Society, Taraiyya, Block- Madhwapur, Madhubani. Respondents / Respondents 1st party.
10. Shri Navendra Jha, so-called elected Chairman, son of Late Kulanand Jha resident of village- Awadi, P.S. Saharghat under Madhwapur Block, District- Madhubani.
11. Shri Niranjana Jha son of Late Sudhakar Jha resident of village+Post- Awadi, P.S. Saharghat, Prakhanda Madhwapur District- Madhubani.
12. Punam Devi wife of Anand Chandra Jha resident of village+Post- Awadi, P.S. Saharghat, Prakhanda Madhwapur District- Madhubani.
13. Dharmshila Devi wife of Vinod Yadav resident of village- Patar, Post- Taraiya, P.S- Saharghat Prakhanda Madhwapur, District- Madhubani.
14. Lakhan Ram Son of late Khatrar Ram resident of village+Post- Awadi, P.S. Saharghat, Prakhanda Madhwapur District- Madhubani.
15. Ramdhari Mandal son of Late Ram Ratan Mandal resident of village+P.O. Taraiya, P.S- Madhwapur Prakhanda Madhwapur, District- Madhubani.
16. Vinod Raut son of Ramashish Raut resident of village+P.O. Taraiya, P.S- Madhwapur Prakhanda Madhwapur, District- Madhubani.
17. Gali Devi wife of Surendra Paswan resident of village+Post- Awadi, P.S. Saharghat, Prakhanda Madhwapur District- Madhubani.
18. Sunaina Devi wife of Late Narayan Yadav resident of village+P.O. Parari, P.S- Madhwapur Prakhanda Madhwapur, District- Madhubani.
19. Randhir Yadav son of Rambriksh Yadav resident of village+P.O. Parari, P.S- Madhwapur Prakhanda Madhwapur, District- Madhubani.
20. Mukteshwar Yadav, son of Rajnandan Yadav resident of village- Patar, post - Taraiya, P.S- Saharghat Prakhanda Madhwapur, District - Madhubani.
21. Sunaina Devi Wife of Jugal Mandal resident of village+Post- Awadi, P.S. Saharghat, Prakhanda Madhwapur District- Madhubani.

.... Respondents 2nd party.

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Appearance:

For the Appellant/s : Mr. Yogendra Mishra and
Mr. Alok Kumar Jha, Advocates.
For the Respondent/s : Mr. J.S. Barnwal, G.A. 5.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 20-06-2017

Heard counsel for the appellants and counsel for the State.

Perused the impugned order dated 17.10.2014.

Keeping in mind that the names of both the petitioners, who are appellants, have already been included in the voters' list, the learned Single Judge rightly dismissed the Writ Application. Inclusion or non-inclusion cannot form the basis for raising a larger issue for challenging the election of a candidate in Writ.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.06.2017
Transmission Date	N/A

