

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15607 of 2017

- =====
1. Guddan Yadav, Son of Ramashankar Yadav resident of Village/Mohalla-Masudaha, Ward No. 6, Andar, P.S. Andar, District- Siwan.
 2. Arjun Manjhi, Son of Dharmnath Manjhi resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar, District- Siwan.
 3. Manish Kumar Yadav, Son of Inspector Yadav resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar, District- Siwan.
 4. Sunil Kushwaha, Son of Gangasagar Kushwaha resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar, District- Siwan.
 5. Akshya Lal Manjhi Son of Mahesh Manjhi Resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar District- Siwan.
 6. Prem Shankar Patel @ Prem Shankar Singh Patel, Son of Ramjit Patel resident of Village- Khemraj Parari, Masudaha, P.S. Andar, District- Siwan.
 7. Shushil Singh Son of Rampravesh Singh resident of Village/Mohalla- Chitaur, P.O. Jaijor, P.S. Andar, District- Siwan.
 8. Ajit Kumar Yadav @ Ajit Yadav, Son of Tufani Yadav resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar, District- Siwan.
 9. Krishna Patel Son of Gulab Patel resident of Village- Khemraj Parari, P.S. Andar District- Siwan.
 10. Nathuni Yadav Son of Late Motha Yadav resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar District- Siwan.
 11. Sarita Devi Wife of Ramakant Yadav resident of Village/Mohalla- Masudaha, P.O. Jaijor, P.S. Andar, District- Siwan.
 12. Sandeep Kumar Yadav, Son of Tufani Yadav, resident of Village/Mohalla-Masudaha, P.O. Jaijor, P.S. Andar, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Co-operative Department.
2. Secretary, Bihar State Election Authority, Patna.
3. District Magistrate-cum-District Election Officer, Vyapar Mandal Sahyog Samiti Ltd., Siwan.
4. District Cooperative Officer, Siwan.
5. Block Development Officer-cum-Returning Officer, Vyapar Mandal Sahyog Samiti Ltd., Andar, Siwan.
6. Block Co-operative Extension Officer, Andar, Siwan.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-11-2017

Heard learned counsel for the petitioners; State and State
Election Authority.



2. Though the matter has been listed with regard to certain defects, with consent of the parties, the writ petition itself has been heard on merits.

3. The petitioners have moved the Court for the following reliefs:

(I.) For issuance of writ in the nature of mandamus directing the respondents to include the name of petitioners in the voter list of Vyapar Mandal Sahyog Samiti Limited (here in after Samity), Andar, Siwan as published by the respondent No. 5 on 10/08/2017 for conducting election 2017 but the name of petitioners has not been included in the said draft voter list despite of the fact that petitioners are already members of the said Ander Block Vyapar Mandal Sahyog Samity since 2009 after having depositing member ship fee including share of Rs. 21/- in year 2009 for which receipt was granted by the Chairman/Manager of the Samity inspite of raising objection for the same.

(II.) For direction to the respondents to published a fresh draft voter list in after inclusion of the name of petitioners and to conduct the election on that very basis.

(III.) For direction to the respondents not to conduct election of the said Andar Vyapar Mandal Sahyog Samiti till inclusion of the name of petitioners in the voter list.

(IV.) For any other relief/reliefs which may deem fit and proper in the fact and circumstances of the case.”

4. After some arguments, learned counsel for the petitioners submitted that as the elections have already been held, the writ petition be disposed off with liberty to them to move before the concerned/competent authority by filing representation which may



be directed to be disposed off expeditiously.

5. Learned counsel for the respondents do not object.

6. In view thereof, the writ petition stands disposed off with liberty aforesaid.

7. If a representation is filed by the petitioners before the respondent no. 4/ the Chairman of *Andar Vyapar Mandal Sahyog Samiti Limited* in the district of Siwan, within four weeks from today, the same shall be considered and disposed off by a reasoned order within the next two months.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

