

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8173 of 2017

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Bharth Mukhiya Son of Parmeshwer Mukhiya, Resident of Village-Mahmadpur, Pachra Mimahi P.S. Bajpatti, District Sitamarhi at present Secretary of Bajpatti Prakhanda Matasayjivi Sahayog Samiti Bajpatti Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Co-operative Department, Bihar, Patna.
2. The Bihar State Election Authority through its Secretary, 32 Harding Road Patna.
3. District Magistrate, cum District Election Officers, (Sahayog Samiti) Sitamarhi.
4. District Co-operative Officer-cum-Deputy District Election Officer, (Sahayog Samiti), Sitamarhi.
5. The Block Development Officer cum Election Officer (Sahayog Samiti), Bajpatti, District Sitamarhi.
6. Chetharu Sahani Son of Late Birju Sahani P.S. Bajpatti District Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 12-10-2017

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

2. The petitioner had moved the Court for the following reliefs:

“1. That the present writ application has been filed for issuance of appropriate writ/writs, order/orders, direction/directions quashing the final voter list and addition of the 909 voters in final voter list without field objection as per direction of respondent no 2 as a



annexure-2 and declaring the same illegal, arbitrary and malafied be issued and directed to the respondent no. -2 to conduct the election on the basis of fresh voter list after considered the 57 objection as well as 869 voters in draft voter list and other relief/reliefs which the petitioner is entitled to in the facts and circumstances of the case.”

3. The basic grievance of the petitioner was that in the final voter list published on 27.04.2017 many persons had been included whose name did not find place in the draft voter list published on 07.04.2017.

4. At the very outset, learned counsel for the State and State Election Authority informed that the process of election in terms of the said two voter lists has been nullified and a fresh draft publication of voter list was made with fresh opportunity to the persons to file objections. It was submitted that pursuant to the same objections were also filed and again there has been final publication of the voter list on 25.09.2017.

5. In view of the fact that subsequent developments have taken place and the voter list in the present writ petition which was impugned having lost its effect, nothing remains to be adjudicated in the present writ application as fresh draft publication followed by a fresh final publication is obviously a fresh cause of action.



6. Accordingly, the writ petition stands disposed off with liberty to the petitioner to approach the appropriate forum, in accordance with law, for any grievance which may still remain.

(Ahsanuddin Amanullah, J)

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