

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

**Civil Writ Jurisdiction Case No.7266 of 2017**

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Akhilesh Kumar Singh, Son of late Basudeo Prasad, Resident of Village & P.O.-  
Amwan, Bodh Gaya, P.S. Bodh Gaya, District- Gaya at present Candidate of Ward  
Councillor of Ward No. 4, Nagar, Panchayat- Gaya, Bodh Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar.
2. The Principal Secretary, Gram Panchayat Raj Govt. of Bihar, Patna.
3. The State Election Commissioner, State Election Commission, Bihar, Patna.
4. The Secretary, State Election Commission, Bihar, Patna.
5. District Magistrate- Cum-District Election Officer, Nagar Nigam, Gaya.
6. Election Officer, Nagar Panchayat, Bodh Gaya-cum-Sub-Divisional Officer,  
Gaya Sadar, Gaya.
7. Executive Office, Nagar Panchayat, Bodh Gaya.

.... .... Respondent/s

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**Appearance:**

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate.

For the Respondent/s : Mr. Lalit Kishore, A.G.

For the Election Commission: Mr. Amit Shrivastava, Advocate.

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

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

**Date: 18-04-2018**

In pursuance to the interim order passed by this Court, the  
election in question was held and based on the right granted to the  
petitioner he was permitted to participate and Sri Amit Shrivastava,  
learned counsel appearing for the Election Commission informs us  
that in the election held petitioner has lost.

That being so, now we see no reason to proceed further in  
the matter. The question of law involved in the matter is kept open to  
be considered in an appropriate case as and when required even at the



instance of the petitioner.

In this case now we are not inclined to go any further in the matter as petitioner’s nomination paper was accepted in pursuance to the interim direction issued and petitioner was permitted to participate in the election and he has lost the election.

That being so, we dispose of the Writ Petition as having been rendered infructuous with liberty to petitioner or any other person to agitate the legal question in accordance with law in an appropriate case.

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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