

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21026 of 2014

=====

Neelam Devi, wife of Surendra Narain Singh, resident of village- Dhanahar Dihuli,
P.S- Ramgarhwa, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Collector, East Champaran.
2. The Returning Officer-cum-Block Development Officer, Ramgarhwa Block,
East Champaran.
3. The Chairman, Dhanahar Dihuli Primary Agriculture, Credit Co-operative
Society.
4. The Chief Election Officer, Bihar State Election Authority, Patna.
5. The Registrar, Co-operative Society, Bihar, Patna.
6. Anil Kumar Singh, son of Bahadur Singh, resident of village- Dhanahar Dihuli,
P.S- Ramgarhwa, District- East Champaran.

.... Respondents

=====

Appearance :

For the Petitioner : None

For the Respondent/s : Mr. Subhash Pd. Singh, GA-7

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-09-2018

Despite repeated calls, no one appears on behalf of the
petitioner to press the writ petition. However, learned counsel for the
State is present.

2. This writ petition has been filed by the petitioner for
issuance of a direction to the respondents to cancel the election of
Chairman, Dhanahar Dihuli Primary Agriculture Credit Co-operative
Society (for short 'PACS') under Ramgarhwa Block held in the year
2014 and conduct a fresh election for the same.

3. It has been contended by the learned counsel appearing
for the State that the process of election was fairly conducted. He



contended that from the writ petition itself, it would be evident that from filing nomination paper till counting of votes and declaring result, no illegality was committed. Voters casted their votes in presence of polling agents of the contesting candidates as such casting of vote by a minor or in the name of dead person was not possible nor any bogus voting is alleged.

4. A counter-affidavit has also been filed on behalf of respondent nos. 1 and 2 in which it has been stated that the result of election was declared fairly on the basis of genuine casted valid votes. It has also been stated in the counter-affidavit that the process of election was fairly conducted right from beginning to the end in which the petitioner had also participated and neither any bogus voting was done nor any other illegality was conducted.

5. No rejoinder has been filed to the counter-affidavit filed on behalf of respondent nos. 1 and 2. As the pleadings made in the counter-affidavit have not been controverted, no case for interference with the election result is made out. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/Sneha

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.09.2018
Transmission Date	

