

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21781 of 2018

Vikram @ Vikram Sah Son of Sri Nagendra Prasad resident of Nehru Tola, Near Jharnakal, Ward No.67, P.O.-Begampur, P.S.-Chowk Ciry, Patna-800009, Bihar.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Home and Personnel Department, Government of Bihar, Patna.
2. The Secretary State Election Commission, Bihar, Patna.
3. The Joint Commissioner State Election Commission, Bihar, Patna.
4. The District Magistrate Cum District Returning Officer Municipal Corp, Patna.
5. The Deputy Development Commissioner Cum The Returning Officer, Patna Municipal Corporation, Patna.
6. The Sub-Divisional Officer, Patna Sadar.
7. The Circle Officer, Patna Sadar, Patna.
8. Sri Manoj Kumar @ Munna Jaiswal Son of Sri Gopal Prasad Joiswal, Resident of Quila Road, Kaimasikoh, Near Mal Ki Kachhari, Ward No. 67, P.O.-Jhauganj, P.S.-Chowk City, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Ravi Bhushan Verma, Advocate
For the Respondent/s	:	Mr.Bishwa Bibhuti Kr. Singh, Advocate
For the S.E.C.	:	Mr. Amit Shrivastava, Advocate
		Mr. Girish Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-11-2019 This writ application has been preferred for issuance of writ in the nature of a writ of mandamus commanding the respondents particularly the Bihar State Election Commission to take a final decision on the disqualification of the private respondent no. 8. It is the case of the petitioner that he has filed a complaint with



the State Election Commission against the election of private respondent no. 8 on the ground that private respondent no. 8 has contested in the election on the basis of a forged caste certificate.

In fact the issue with regard to the Caste Certificate of private respondent has travelled up to the Caste Scrutiny Committee and vide Annexure 'P/14' to the connected writ being CWJC No. 22734/2018, the Caste Certificate of the private respondent no. 8 had been cancelled. Respondent no. 8 challenged the order of the Caste Scrutiny Committee in CWJC No. 22734/2018.

Today itself the said writ application has been heard simultaneously with the present writ and the said writ application has been allowed with a direction to the Caste Scrutiny Committee to take a fresh decision after hearing the private respondent no. 8 as well as the present petitioner.

In that view of the matter, this writ application is being disposed of with a direction to the Bihar State Election Commission to await the decision of the Caste



Scrutiny Committee and once the said report is received, the State Election Commission shall proceed to consider the complaint in accordance with law.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U			
---	--	--	--

