

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1550 of 2014

In
Civil Writ Jurisdiction Case No.6333 of 2013

=====

Jaheda Parween W/O Tanveer Alam, resident of Village P.O - Birpur, Ward
No. 7, District - Supaul.

... .. Appellant/s

Versus

1. The State Of Bihar
2. The State Election Commission, Bihar, Patna.
3. The Secretary, Nagar Vikash Avam Awash Bibhag, Bihar, Patna
4. The District Magistrate - Cum - District Election Officer Nagarpalika,
Supaul, Distt - Supaul
5. The Executive Officer, Nagar Panchayat, Birpur, Distt - Supaul
6. The Sub - Divisional Officer, Birpur, District - Supaul.
7. Sri Mohan Prasad Rastogi son of Late Khemchand Rastogi Ward No. 13,
Birpur, District - Supaul
8. Tanveer Alam, S/O Abdul Quddus, Resident of Village P.O - Birpur, Ward
No. 7, District - Supaul

... .. Respondent/s

=====

with

Letters Patent Appeal No. 20 of 2015

In
Civil Writ Jurisdiction Case No.6333 of 2013

=====

Tanveer Alam son of Abdul Quddus, Resident of Village P.O - Birpur, Ward
No. 7, District - Supaul

... .. Appellant/s

Versus

1. The State Of Bihar
2. The State Election Commission, Bihar, Patna.
3. The Secretary, Nagar Vikash Avam Awash Bibhag, Bihar, Patna
4. The District Magistrate - Cum - District Election Officer Nagarpalika,
Supaul, Distt - Supaul
5. The Executive Officer, Nagar Panchayat, Birpur, Distt - Supaul
6. The Sub - Divisional Officer, Birpur, District - Supaul.
7. Sri Mohan Prasad Rastogi S/O Late Khemchand Rastogi Ward No. 13,
Birpur, District - Supaul
8. Jaheda Perween Tanveer Alam resident of Village P.O - Birpur, Ward No. 7,
District - Supaul



... .. Respondent/s

Appearance :

For the appellants	:	Mr. Sharda Nand Mishra Mr. Harish Chandra Patel
For the State Commission	:	Mr. Amit Shrivastava & Mr. Girish Pandey
For the State	:	Mr. Rajiv Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

10 26-06-2019 Mr. Sharda Nand Mishra, learned counsel appearing for the appellants and Mr. Amit Shrivastava, learned counsel appearing for the Bihar State Election Commission jointly submit that both the above Letters Patent Appeal have virtually become infructuous.

It is submitted that in both the appeals the order dated 11.08.2014 passed by the learned Single Judge in C.W.J.C. Nos. 6333 of 2013, 1906 of 2016 and 8930 of 2013 is under challenge, whereby the learned Single Judge has dismissed all the three writ petitions and confirmed the order contained in Memo No. 43 dated 07.01.2013 passed by the State Election Commission, whereby the present appellants have been disqualified under section 18(1)(I) and Section 18(2) of the Bihar Municipal Act, 2007.

It is submitted that the period of disqualification of six



years is over as the period of six years is calculated from the last General Election and the last General Election was held in April, 2012.

In this view of the matter, since the aforesaid disqualification no longer remains operative now, the learned counsel appearing on behalf of the appellants seeks permission to withdraw these appeals with liberty to the appellants to contest the election henceforth since the disqualification ceases to operate.

Mr. Amit Shrivastava, learned counsel appearing for the State Commission has no objection to such liberty.

In view of the above, both the appeals stand disposed of with the liberty aforementioned.

(Dinesh Kumar Singh, J)

(Arvind Srivastava, J)

mcv/-

U		T	
---	--	---	--

