

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9959 of 2019

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Amarjit Thakur @ Amarjeet Thakur, aged about 30 years, male, Son of Devindar Thakur, resident of Village Korbaddha Tabhka, P.O.- Raghampur, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner

Versus

1. The Election Commission, New Delhi Nirwahan Sadan, Ashoka Road, New Delhi- 110001.
2. The Bihar State Election Commission, IIIrd Floor, Sone Bhawan, Daroga Rai Path, R. Block Chauraha, Birchand Patel Path, Patna, Bihar- 800001.
3. The Chief Electoral Officer, Bihar 7, Sardar Patel Marg (Mangals Road), Patna- 800015.
4. The Returning Officer, 22 Ujiarpur, Parliamentary Constituency, District- Samastipur.
5. The Observer, 22 Ujiarpur Parliamentary Constituency, District- Samastipur.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Shiva Shankar Prasad Singh, Advocate.
For the Election Commission: Mr. Siddhartha Prasad, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 02-05-2019

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present petition has been filed for the following
reliefs as formulated by the petitioner -

"1. For issuance of an appropriate writ, order, direction to the respondents to stay the election of 22 Ujiarpur Parliamentary Constituency till the pendency of this writ petition. Because the Returning Officer and the Observer of the 22 Ujiarpur Parliamentary Constituency wrongly and intentionally cancelled the nomination paper of the petitioner for the benefit of some V.I.P. candidates.



II. For issuance of an appropriate writ, order, direction to the respondents to restore the nomination paper of the petitioner and the petitioner may be allowed to contest the election from 22 Ujiyarpur Parliamentary Constituency for Member of Parliament.

III. It is further prayed that the order of cancellation of nomination paper dated 05.04.2019 of petitioner may be set aside and the petitioner may be allowed to contest the election from 22 Ujiyarpur Parliamentary Constituency for Member of Parliament.

IV. For issuance of an appropriate order, direction granting any other relief or reliefs for which the petitioner is found entitled."

3. At the very outset, learned counsel for the petitioner states that the polling of 22 Ujiyarpur Parliamentary Constituency has already been concluded on 29.04.2019 and as such the present writ petition has become infructuous.

4. Learned counsel for the respondent-Election Commission is present.

5. Having regard to the statement of the petitioner, the writ petition stands dismissed as infructuous.

(Vikash Jain, J)

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