

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10255 of 2019

Shiv Kumar Yadav (Male), aged about 40 years, Son of Sri Prem Lal Yadav,
Resident of Village and P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-cum-District Election Officer (Panchayat), Purnea, District- Purnea.
2. The Block Development Officer-cum-Returning Officer, Barhara Kothi, District- Purnea.
3. Mukesh Singh (Male), Son of Deo Narayan Singh, Resident of Village- Aliganj, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
4. Vivek Kumar (Male), Son of Late Bhola Yadav, Resident of Village- Biranchiya, P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.
5. Archana Kumari (Female), Wife of Pawan Kumar Pranav, Resident of Village- Rustampur, P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.
6. Sushil Yadav (Male), Son of Ganeshi Prasad Yadav Resident of Village- Rustampur, P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.
7. Arjun Rishideo (Male), Son of Mahabir Rishideo, Resident of Village- Rustampur, P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.
8. Yugeshwar Rishideo (Male), Son of Manik Rishideo, Resident of Village- Rustampur, P.O.- Laukahi, P.S.- Barhara Kothi, District- Purnea.
9. Kailash Kumar @ Rammu Yadav (Male), Son of Manik Chand Yadav, Resident of Village- Sukhasan Kothi, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
10. Sanjeev Singh (Male), Son of Yogendra Nath Singh, Resident of Village- Sukhasan Kothi, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
11. Ritesh Singh (Male), Son of Haribansh Narayan Singh, Resident of Village- Sukhasan Kothi, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
12. Shivilal Rishideo (Male), Son of Late Munni Rishideo, Resident of Village- Laukahi Chakla, Kila Tola, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
13. Sone Lal Rishideo (Male), Son of Late Bauku Rishideo, Resident of Village- Laukahi Chakla, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
14. Arun Mandal (Male), Son of Late Budhinath Mandal, Resident of Village- Laukahi Chakla, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
15. Pinkar Singh (Male), Son of Late Sukho Singh, Resident of Village- Aliganj, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
16. Amrita Singh (Female) Wife of Mukesh Singh @ Bulla Singh, Resident of Village- Aliganj, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
17. Md. Nizamuddin (Male), Son of Late Samiruddin, Resident of Village- Mugarjan, P.O.- Laukahi, P.S. Barhara Kothi, District- Purnea.
18. Suresh Sah (Male), Son of Raj Kishore Sah, Resident of Village- Sukhasan



Kothi, P.O. Laukahi, P.S. Barhara Kothi, District- Purnea.

19. Sone Lal Soren (Male), Son of Chhotelal Soren, Resident of Village- Sukhasan Santhal Tola, P.O. Laukahi, P.S. Barhara Kothi, District- Purnea.
20. Rina Devi (Female), Wife of Manoj Yadav Resident of Village- Biranchiya, P.O. Laukahi, P.S. Barhara Kothi, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. S. B. K. Mangalam and
Mr. Avinash, Advocates
For the State : Mr. Ravindra Kumar, AC to AAG 6

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 25-11-2019

Heard learned counsel for the petitioner and learned AC
to AAG 6 for the State.

2. The petitioner has moved the Court *inter alia* for a
direction to the Munsif, Dhamdaha in the District of Purnea to
dispose off Election Petition No. 05 of 2016, which is pending
since 23.06.2016.

3. Learned counsel for the petitioner submitted that the
very purpose of such provision is defeated, if such application is
kept pending, which in the present case, is for more than 3 years,
as the term of the body itself would expire within a few years.

4. Having regard to the aforesaid, in view of the nature
of order which the Court proposes to pass, it is not deemed
necessary to issue notice to the private respondents.



5. Accordingly, the application stands disposed off with a direction to the concerned Munsif, Dhamdaha in the District of Purnea to dispose off Election Petition No. 05 of 2016, if still pending before him, expeditiously and in any case within a maximum period of four months from the date of production of a copy of this order before him.

6. The Court would only observe that the concerned Munsif shall ensure that the time limit fixed by this Court is not frustrated on the ground of dilatory tactics by the opposite parties and it would be incumbent upon him to apply his mind with regard to relevancy and requirement of pleas taken by the parties, especially relating to examination of witnesses.

(Ahsanuddin Amanullah, J.)

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