

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15607 of 2019

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Ragini Devi W/o Sri Avinash Pratap Singh Resident of Village and PO
Derhgaon, PS.Dawath,Dist.Rohtas at Sasaram.

... .. Petitioner

Versus

1. The State Election Commission (Panchayat) Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
2. The Secretary, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna
3. The District Magistrate-cum-District Election Officer (Panchayat) Rohtas at Sasaram, Dist. Rohtas at Sasaram
4. The Returning Officer, Panchayat Election, 2016, Dawath Block, District-Rohtas at Sasaram.
5. The Assistant Returning Officer, Dawath Block Dist.-Rohtas at Sasaram.
6. The Block Development Officer, Dawath, Dist. Rohtas at Sasaram.
7. Ranjana Kumari W/o of Awadh Bihari Singh Resident of Village and PO Derhgaon, PS Dawaeth, Dist. Rohtas at Sasaram
8. Bachchi Devi W/o Fateh Bahadur Singh Resident of Village and PO Derhgaon, PS Dawaeth, Dist. Rohtas at Sasaram
9. Niru Devi W/o Prabhu Narayan Singh Resident of Village and PO Derhgaon, PS Dawaeth, Dist. Rohtas at Sasaram
10. Tetra Devi W/o Anil Yadav Resident of Village and PO Derhgaon, PS Dawaeth, Dist. Rohtas at Sasaram
11. Lalita Devi W/o Uday Pratap Singh Resident of Village and PO Derhgaon, PS Dawaeth, Dist. Rohtas at Sasaram
12. Sunil Devi W/o Sanjay Singh Resident of Village Ram Nagar, PO Sakari, PS Dawath, Dist. Rohtas at Sasaram
13. Indu Devi W/o Surendra Singh Resident of Village Ram Nagar, PO Sakari, PS Dawath, Dist. Rohtas at Sasaram
14. Malti Singh W/o Vinay Kumar Resident of Village Ram Nagar, PO Sakari, PS Dawath, Dist. Rohtas at Sasaram
15. Reshma Devi W/o Krishna Bharti Resident of Village Patel Bal, PO Hasan Bazar, P.S. Dawath, Dist. Rohtas at Sasaram

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.S.B.K. Mangalam, Advocate
For the Respondent/s	:	Mr.Kumar Alok, SC-7
For the SEC	:	Mr.Amit Shrivastava, Advocate
		Mr.Girish Pandey Advocate
For the Res. No. 7	:	Mr.Raj Narayan Mishra, Advocate
		Mr.R.N. Sharma, Advocate



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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-11-2019 Mr. Manglam, learned counsel for the petitioner has informed this Court that in fact the Election Petition No. 1 of 2016 has been fixed for judgment today before learned Munsif-cum-Panchayat Election Tribunal. It appears that by the impugned order, the learned Munsif had rejected the application of the opposite party no. 7-petitioner filed under Order VI Rule 16(a) and Order VII Rule 11(a) of the Civil Procedure Code. Since the election case itself has been fixed for judgment and the issue with regard to maintainability of the election dispute case is one of the issues framed therein, this writ application has in fact become infructuous.

Mr. Mangalam submits that he would withdraw this writ application with liberty to raise all such issues which may arise out of the judgment passed by the learned Munsif-cum-Panchayat Election Tribunal which includes one of the issues as to the maintainability of the application.

(Rajeev Ranjan Prasad, J)

vats/ved

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