

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1821 of 2020

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1. Ram Ikval Singh, sex- Male, aged about 78 years, Son of late Narsingh Singh,
 2. Shambhu Sharma, Sex- Male, aged about 45 years, Son of Sri Ram Ekval Singh, both Resident of Village- Gauharpur- P.O. Naudiha, P.S. Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Co-Operative Department, Govt. of Bihar, Patna.
2. The Registrar, Co-Operative Societies, Bihar, Patna
3. The District Magistrate, Gaya,-cum-District Election Officer, Gaya.
4. Chief Election Officer, Bihar, Patna.
5. Bihar State Election Authority, 32 Hardings Road, Patna.
6. District Co-Operative Officer, Gaya.
7. Block Development Officer- Cum-Election Officer(Co-Operative Societies), Khizersarai, Gaya.
8. Randhir Kumar, Son of Gauri Shankar Prasad, resident of village and P.O.- Naudiha, P.S. Khizersarai, District- Gaya, at Present Chairman Naudiha PACS, Prakhand Khizersarai, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manmohan Pd. Singh, Advocate
		Mr. Akhileshwar Dayal, Advocate
For the Respondent/s	:	Mr. Uday Shankar Saran Singh, GP 19

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 13-02-2020

Heard learned counsel for the petitioners and learned
GP 19 for the State.

2. The petitioners have moved the Court for the
following reliefs:

“(i) For issuance of an appropriate writ/ writs in the nature of writ of mandamus directing the concerned respondents to declare election of Primary Agriculture Co-operative Society Naudhiha Block Khizersarai in the District of



Gaya held on 11.12.2019 as void because various irregularities and illegalities have been committed by returning office (respondent no.7 in conspiracy and connivance with sitting Chairman of PACS Naudiha.

- (ii) *For issuance of an appropriate writ/writs in the nature of writ of mandamus directing the respondents authorities to include the names of petitioners in the voter-list pursuant to order dated 4.12.2019 passed by Bihar State Election Authority and allow them to avail all the benefits and right to contest the election.*
- (iii) *For issuance of any other writ/writs, order/orders, direction/directions for which petitioners would be found entitled under the facts and circumstances of the case.”*

3. In view of election already having been held and result declared, the Court finds that the reliefs prayed for cannot be granted by this Court under its writ jurisdiction.

4. Accordingly, the writ petition stands disposed off with liberty to the petitioners to move before the appropriate forum/authority, in accordance with law, for the reliefs sought for in the present writ petition. If such application is filed within two weeks from today, the authorities would consider the matter on merits and pass reasoned order thereupon.

(Ahsanuddin Amanullah, J)

J. Alam/-

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