

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21733 of 2018

-
-
1. Bishwanath Sahani son of Sri Langat Sahani, Resident of Village- Dulaur, P.O. Pirapur, P.S. Jandaha, District- Vaishali at Hajipur.
 2. Ajay Sahani, son of Sri Musafir Sahani, Resident of Village and P.O. Sohathi, P.S. Jandaha, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The State Election Commission Panchayat through the State Election Commissioner, Sone Bhawan, Birchand Patel Path, Patna
4. The State Election Commissioner, The State Election Commission Panchayat, Sone Bhawan, Birchand Patel Path, Patna
5. The Secretary, The State Election Commission Panchayat, Sone Bhawan, Birchand Patel Path, Patna.
6. The District Election Officer Panchayat, Vaishali at Hajipur, District- Vaishali at Hajipur.
7. The Block Development Officer, Jandaha, District- Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari, Advocate

For the Respondent/s : Mr.Pushkar Narain Shahi- AAG-6

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



2 06-01-2020 The petition filed on 05.11.2018 is listed for hearing
for the first time today before the Court.

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

Petitioners have prayed for the following relief:

“(I) For issuance of an appropriate writ in the nature
of MANDAMUS, commanding and directing the
respondent authorities to hold the election for the
Panchayat Samiti Member of Block Panchayat
Samiti, Jandaha in respect of Jandaha Block
Panchayat Samiti, Territorial Constituency No. 27
and 31, which has fallen vacant since long on the
ground that since there is no representative of these
two territorial constituencies of the Panchayat Samiti
of the Block, no development work has been
undertaken by the Block in these two territorial
constituencies from the funds of Block Panchayat
Samiti.

(II) For a declaration that if the object behind the
election is that the representatives so elected shall
represent the cause of its constituency in the Body
for which he is elected keeping the post vacant for
long for no rhyme or reason is neither the object of
the Act nor it is in the larger public interest.”

Learned counsel for the petitioners states that the
elections have already been sanctioned, as such, petitioners do
not want to press the present petition, for the same to have
become infructuous.



The present petition stands dismissed as having
rendered infructuous.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

U			
---	--	--	--

