

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3871 of 2020

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Hariom Yadav Resident of Mohalla- Baksu Bigha, Police Station- Tekari,
Town- Tekari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-Cum-District Election Officer(Municipality), Gaya.
2. The District Magistrate-Cum-District Election Officer(Municipality), Gaya.
3. The District Magistrate, Gaya.
4. The Executive Officer, Nagar Panchayat , Tekari.
5. The Chairman Nagar Panchayat Tekari.
6. The Deputy Election Officer-Cum-District Panchayat Raj Officer, Gaya.
7. The State Election Commission through Election Commissioner, Bihar.
8. The Election Commissioner, Bihar.
9. The Joint Election Commissioner, Bihar.
10. Smt. Sheela Devi, Ward Parshad, Ward No. 13, Nagar Panchayat- Tekari, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar
For the State : Mr.Kinkar Kumar (SC9)
For the State Election Commission: Mr.Amit Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-06-2020 Heard Mr. Sanjeet Kumar, the learned counsel for the petitioner, the learned SC 9 for the State and Mr. Amit Srivastava, the learned counsel for the State Election Commission (respondent Nos. 7 to 9).

The grievance of the petitioner is that respondent No.10, Ward Parshad, Ward No. 13, Nagar Panchayat, Tekari did not participate in the meeting on the three consecutive dates and, therefore, her membership should be cancelled.



Mr. Sanjeet Kumar, the learned counsel for the petitioner, submits that the matter is pending before the State Election Commission and this writ petition may be disposed of with a direction to the State Election Commissioner to dispose of the matter within four weeks.

Mr. Amit Srivastava, the learned counsel for the State Election Commission, submits that at present the post of State Election Commissioner is vacant and, therefore, direction may be issued to dispose of the matter within four weeks from the date of assuming of charge by the State Election Commissioner.

Having considered the facts and submission of both sides, I dispose of this writ petition with a direction to the State Election Commissioner to dispose of the matter within six weeks from the date of assuming of charge by the State Election Commissioner.

It goes without saying that respondent No.2 shall send the required report to the State Election Commissioner, in the meantime.

This writ petition stands disposed of.

BKS/-

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(Prabhat Kumar Jha, J)

