

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16963 of 2018

Vinay Kumar Saha Son of Sri Ram Prasad Saha, resident of 'Ramchandra Niwas', Behind Double Mobile Tower Village Bhelwara, P.O.- Mittanchak, P.S.- Gopalpur, District- Patna.

... .. Petitioner

Versus

1. The Union Of India, through A.D.C. to the President of India, New Delhi.
2. The Secretary, Law Department Govt. of India, New Delhi.
3. Parliament through its Secretary, Sansad Bhawan, New Delhi.
4. The Secretary, Parliament Sansad Bhawan, New Delhi.
5. The Election Commission of India through its Secretary, Nirwahan Bhawan, Ashoka Road, New Delhi.
6. The Chief Election Commission, Election Commission of India, Nirwahan Bhawan, Ashoka Road, New Delhi

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Mritunjay Prasad Singh, Advocate
For the Respondents	:	Mr. S.D Sanjay Addl. Soc. Gen. Mr. Rajesh Kumar Verma, A.S.G

CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020

Petitioner has prayed for the following reliefs:-

“(i) For issuance of writ of Mandamus commanding and directing the Respondent parliament under Article 84 Clause (C) of the Constitution of India to prescribe the adequate Educational qualification for contesting the election for members of the House of People and Council of State and also for election of members of legislative Assemblies(sic) and Legislative councils under Article 173 of the Constitution of India as well as for contesting the election of other local bodies.

(ii) For issuance of writ of Mandamus commanding the respondent authorities to



prescribe proper and adequate Educational qualification in addition of existing qualification U/s 3, 4, 5, 5(a) 6 of the representation of the people Act 1951 for the membership of parliament, Legislative Assembly and legislative council of State and also for contesting the election of other local bodies.

(iii) And For issuance of other appropriate writ or order or direction which may deem fit and proper in the facts and circumstances of this for proper functioning of the Union and State Govt. for development of the country.”

Learned counsel for the petitioner seeks permission to withdraw the present application reserving liberty to seek appropriate remedies in accordance with law, including approaching this Court by way of separate petitions, if so required and desired.

Accordingly, the present petition is dismissed as withdrawn with the aforesaid liberty.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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