

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8813 of 2020

=====

Sushma Sahu Daughter of Ram Lagan Sahu Resident of Sahu Sadan House
No.1, Rajendra Path, Kadam Kuan, P.O. and P.S. Kadam Kuan, District-
Patna. (Bihar).

... .. Petitioner/s

Versus

1. The Election Commission of India through the Chief Election Commissioner, Nirvachan sadan, Ashoka Road, New Delhi.
2. The Chief Election Commissioner, The Election Commission of India, Nirvachan Sada, Ashok Road, New Delhi.
3. The Chief Election officer, Bihar, Patna.
4. The District Election Officer, Patna, District-Patna.
5. The Returning Officer, 182, Bankipur Assembly Constituency, District-Patna, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar Manglam, Advocate
For the Respondent/s	:	Mr. Prabhat Verma, AAG
For the Election Commission:		Mr. Siddhartha Prasad, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-12-2020 Heard Mr. S.B.K. Mangalam, learned Advocate
for the petitioner, Mr. Siddhartha Prasad for the Election
Commission and Mr. Prabhat Verma for the State.

Now, when the elections have already been held
and result announced, this petition has become
infructuous.

Mr. Mangalam, learned counsel for the
petitioner submits that he has no dispute with the
proposition that this case has become infructuous for
this Court to interfere in the matter but insists that the
conduct of the Returning Officer be made at least known



to the Election Commission, so that in future such whimsical action on the part of the Returning Officers could be stopped.

No such observation could be made in the absence of the response of the concerned Returning Officer.

Be that as it may, the petitioner would be at liberty to challenge the election in an appropriate forum where such issues could be raised.

The petition is dismissed as infructuous with the aforesaid observation.

(Ashutosh Kumar, J)

krishna/-

U			
---	--	--	--

