

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10 of 2020

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Tilak Ray, aged about 35, Male, S/o Sri Raghunath Ray Resident of Nilkanth Tola, Goraiya Asthan, P.O.- Byapur, P.S.- Maner, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Bihar State Election Authority through its Chief Election Officer 32 Harding Road, Patna, Bihar.
3. The Registrar, Co-operative Department, New Secretariat, Government of Bihar, Patna.
4. The District Co-operative Officer, Lodipur Road, Patna.
5. The Block Co-operative Officer, Maner, Patna.
6. The Block Development Officer, Maner Block-cum-Controlling Officer for the PACS of Darweshpur Southern Uparwar PACS, Maner Prakhand, Dist- Patna.
7. Sri Satyendra Kumar S/o Sachidanand Ray Village- Jeerakhan Tola, Gorya Asthan, Maner, Dist- Patna at present Chairman of Darweshpur South Uparwar PACS of Maner Prakhand, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar with Mr. Vijay Kumar Sah, Advocates
For the State	:	Mr. R. K. Chandran, AC to GP 19
For the Authority	:	Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 13-01-2020

Prayer is made on behalf of learned counsel for the petitioner for time.

2. Learned AC to GP 15 for the State and learned counsel for the State Election Authority (hereinafter referred to as the 'Authority') have assisted the Court.



3. The writ petition has been filed for the following reliefs:

"1. That this petition is directed for issuance of an order/orders, direction/directions to the Respondents for making corrections on thorough verification of the voters of Darweshpur South Uparwar PACS of Maner Prakhand in the District of Patna and direction for deleting the fake names of the outsiders who have been wrongly included in the voter list of aforesaid PACS election, which is scheduled on 13.12.2019 as per order of Respondent no. 2.

2. (i) For issuance of an orders to delete the names of the fake voters from the voter list of Gram Panchayat Darweshpur South Uparwar PACS of Maner Prakhand, Patna.

(ii) For direction or directions to the Respondents to prepare the valid and genuine voter list of the real voters of Gram Panchayat Darweshpur Sought Uparwar PACS of Maner Prakhand.

(iii) For issuance of an order/orders, direction/directions to Respondents to stay the election of PACS in Gram Panchayat Darweshpur Sought Uparwar PACS of Maner Prakhand, Patna so long the voter list is not corrected.

(iv) For grant of any other relief or reliefs for which the petitioner is found fit in the facts and circumstances of this case."

4. Learned counsel for the Authority submitted that the writ petition has been filed for making corrections in the voter list and then to hold elections. It was submitted that the elections have already been held on 13.12.2019 and results also declared.

5. Though the writ petition was filed on 26.11.2019 but after removal of defects has been heard for the first time today.



6. In view of the fact that the prayer has become infructuous and steps now have to be taken in terms of the statutory provisions as the elections have already been held and results declared, the writ petition stands disposed off with liberty to the petitioner to move before the appropriate authority/forum, in accordance with law.

(Ahsanuddin Amanullah, J)

Anjani/-

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