

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1644 of 2019

In
Civil Writ Jurisdiction Case No.11230 of 2018

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Yogendra Kumar @ Yogendra Son of Late Hira Prasad, resident of Village-Dihuri, P.O. Bauri Beldari, P.S. Hulasganj, District Jehanabad.

... ... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The State Election Commission (Panchayat), Sone Bhawan Birchand Patel Path, Patna through the State Election Commissioner.
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 Magistrate-Cum-District Election Officer (Panchayat), Jehanabad, District-Jehanabad.
7. Om Prakash Suman, Son of Tulsi Ram Resident of Village-Budhanpur, P.O. Bauri Beldari, P.S. Hulasganj, District-Jehanabad.

... ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anita Kumari, Adv.

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 16-01-2020 This intra court appeal is directed against the part of the judgment and order dated 02.12.2019 passed by a learned Single Judge of this Court in C.W.J.C. No. 11230 of 2018, whereby and whereunder after setting aside the order dated 17.11.2017 passed by the State Election Commission in Case No.53 of 2017 the Bench was pleased to remand the matter back to write out a fresh order after giving opportunity of hearing to



the parties and was further pleased to observe that the result of fresh election in which the Respondent No.7 has been returned successful would ultimately be subject to the decision by the State Election Petition.

Not finding favour with the submissions made by the learned counsel, we find no reason to interfere with the impugned judgement dated 2.12.2019 passed in C.W.J.C. No. 11230 of 2018, titled as Yogendra Kumar @ Yogendra Vs. The State of Bihar & Ors. for we do not find there to be any perversity or illegality therein.

At this stage, learned counsel for the appellant Shri Manglam states that the appellant shall be content if the respondents were directed to comply with the directions contained in the impugned judgement.

We see no reason as to why the needful shall not be done by the respondents.

The appeal is disposed of.

(Sanjay Karol, CJ)

(Anjani Kumar Sharan, J)

K.C.Jha/-

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