

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9417 of 2021**

Dr. Dular Babu Thakur Son of Late Raghuni Thakur, presently working as Deputy Chief Sub Editor at Jagran Prakashan Ltd. Patna, Resident of Shakarpura, Begusarai, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through the Cabinet Secretary, Central Secretariat, New Delhi, Delhi 110001.
2. The State of Bihar through its Chief Secretary, New Secretariat, Patna.
3. The Hon'ble Governor, State of Bihar, Raj Bhawan, Patna.
4. Sanjay Kumar Singh Son of Ramendra Prasad Singh, at present main spokesperson of JDU, resident of 5/6 Anandpuri, Western Boring Kenal Road, Patna.
5. Upendra Kushwaha, Son of Late Muneshwar Singh, At present president of parliamentary Board JDU, resident of Village Post Javaj Thana Mahnar, Dist. - Vaishali.
6. Shri Ashok Chaudhary Son of Shri Mahavir Chaudhary, At present working president of JDU, resident of Mahaveer Villa, Mahaveer Lane, Purvi Boring Canal Road Patna 80000
7. Dr. Rambachan Roy, Son of Late Ramrokha Rai, resident of 4 M/ 138 Bahadurpur Housing Colony, Bhootnath Road, Patna - 26.
8. Dr. Sanjay Kumar Singh, Address Not Available.
9. Lalan Kumar Sarraf at present JDU's State treasurer.
10. Pro. Dr. Rajendra Prasad Gupta Vice presents of BJP
11. Devesh Kumar, Address Not Available.
12. Pramod Kumar, Address Not Available.
13. Ghanshyam Thakur at present District President of BJP.
14. Nivedita Singh, at present in charge of BJP Women's Front.
15. Janak Ram, at present State Secretary of BJP Party.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                                  |
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| For the Petitioner/s | : | Mr.Nirbhay Prashant, Advocate<br>Mr. Pravashankar Mishra, Advocate               |
| For the Respondent/s | : | Mr.Dr.K.N.Singh (ASG)<br>Mr. Manoj Kumar Singh, CGC<br>Mr. Pawan Kumar, AC to AG |



**CORAM: HONOURABLE THE CHIEF JUSTICE  
and  
HONOURABLE MR. JUSTICE S. KUMAR  
ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)**

2      20-07-2021                      Petitioner has prayed for the following relief(s):

“(i) For issuance of writ in the nature of certiorari for quashing the Notification dated 17/03/2021 (Annexure-1) published in a Extraordinary Gazette by and on behalf of Respondents authorities under which 12 members have been nominated as Member of Legislative Council by Respondent No.3.

(ii) For issuance of writ in the nature of mandamus to the Respondents authorities to act in consonance with the mandatory provision of the Article 171 Clause (5) of the Constitution of India for the purpose of the nominations of 12 persons as members of Bihar Legislative Council in light of qualifications as prescribed under 171(5) of the Constitution of India and for the said purpose frame the norms and/or the specific criteria for the purpose of such nomination.

(iii) For grant of any other appropriate relief/reliefs which this Hon'ble Court may deem fit in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission to withdraw the petition with liberty to file afresh on the same



cause of action.

The petition is dismissed as withdrawn with the  
aforesaid liberty.

As and when such petition is filed, the same shall be  
listed on priority.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

K.C.Jha/-

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