

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8814 of 2020

1. Lord Buddha Education and Social Development Sansthan Alamganj, P.S.- Alamganj, District- Patna through its Secretary, Ms. Minu Singh, aged about 58 years, W/o Late Ashok Singh, R/o Bagh Bhup Singh Lane, Opposite Alamganj Police Chowky, P.S.- Alamganj, District- Patna.
2. Lohia Nagar Mt. Carmel High School situated at Mohalla- Lohiya Nagar, DS/16, Gayatri Mandir Road, Kankarbagh, Patna- 20, through its Principal, Ms. Minu Singh, aged about 58 years, W/o Late Ashok Singh, R/o Bagh Bhup Singh Lane, Opposite Alamganj Police Chowky, P.S.- Alamganj, District- Patna.
3. Ms. Minu Singh W/o Late Ashok Singh R/o Bagh Bhup Singh Lane, Opposite Alamganj Police Chowky, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

1. The Election Commission of India through the Chief Election Commissioner, Nirvachan Sadan, Ashoka Road, New Delhi- 110001.
2. The Chief Election Commissioner, the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi 110001.
3. The Bihar State Election Authority through the Chief Electoral Officer, 7, Sardar Patel Marg (Mangles Road), Patna- 800015, Bihar.
4. The Chief Electoral Officer, the Bihar State Election Authority, 7, Sardar Patel Marg (Mangles Road), Patna- 800015, Bihar.
5. The Secretary, Bihar State Election Authority, 32, Hardinge Road, Patna- 800001.
6. The District Election Officer-cum-District Magistrate, Patna.
7. The District Magistrate, Patna.
8. The Booth Level Officer, 183- Kumhrar, Vidhan Sabha Constituency, Bihar General Legislative Assembly Election, 2020.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms.Vagisha Pragya Vacaknavi, Adv.
For the Respondent/s : Mr.Lalit Kishore (Ag)
For Election Commission of India: Mr. Siddhartha Prasad, Adv

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-02-2021 Heard Ms.Vagisha Pragya Vacaknavi, learned

counsel for the petitioner and Mr. Siddhartha Prasad, learned

counsel appearing for Election Commission of India.



The present writ application has been filed to prohibit the Respondents, particularly, Respondent No.6, the District Election Officer-cum-District Magistrate, Patna from using the private premises of petitioner no.2, in which petitioner no.3 is running a school, as Polling Station/Booth for the purpose of Bihar State General Assembly Election, 2020.

During pendency of this writ application, the election is over.

Learned counsel for the petitioner submits that the private premises of the petitioner is being used by the authorities in every election which is not permissible in law inasmuch as government premises are available adjacent to the premises of the petitioners.

Be that as it may, since election is already over, petitioner may raise this issue in future as and when required.

Accordingly, the present writ application is dismissed being infructuous.

(Anil Kumar Sinha, J)

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