

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17391 of 2021

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Fazlur Rahman @ Fazlu Rahman, aged about 69 years, male, S/o Md. Fazlu Rahman, Resident of Village-Harda, Shobhaganj, P.S.-K.Hat Maranga, District-Purnea.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary Department Panchayat Raj (Bihar).
2. The Block Development Officer, Purnea East-Cum-Election officer (Gram Panchayat Election 2016), Purnea.
3. Pawan Kumar Yadav, aged about 39 years, male, Son of Sri Sardanand Yadav Resident of Village-Kabaiya, P.O.-Harda, P.S.-K.Hat (Maranga), District-Purnea.
4. Abdul Bashir, Son of Md. Jullu Rahman, Resident of Village-Shobhaganj, P.O.-Harda, P.S.-K. Hat (Maranga), District-Purnea.
5. Dilip Kumar Singh Son of Late Gopi Prasad Singh Resident of Village-Kabaiya, P.O.-Harda, P.S.-K.hat (Maranga), District-Purnea
6. Mukesh Kumar Bharti Son of Birendra Yadav Resident of Village-Kabaiya, P.O.-Harda, P.S.-K.hat (Maranga), District-Purnea
7. Rajesh Kr. Bharti Son of Late Parmeshwar Prasad Yadav , Resident of Village-Kabaiya, P.O.-Harda, P.S.-K.hat (Maranga), District-Purnea
8. Sanjay Kumar Son of Late Kapileshwar Pd. Mehta Resident of Village-Kabaiya, P.O.-Harda, P.S.-K.hat (Maranga), District-Purnea
9. Raj Kr. Rishi Son of Lte Kameshwar Rishi Resident of Bikrampatti, P.O.-Harda, P.S.-K. Hat (Maranga), District-Purnea.

... .. Respondent

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Appearance :

For the Petitioner : **N o n e.**
For the Respondents : Mr. Ajay, GA-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 09-05-2022 Following is the relief which the petitioner is seeking
in the present writ application:-



1. That this application is for issuance of appropriate writ, rule, direction in the form of writ of Certiorari for quashing the judgment dated 06.03.2020 passed by the Court of Munsif Sadar, Purnea -cum- Election Tribunal, Purnea in Election Petition No. 13 of 2016 where by the Election Petition was allowed on contest against all opposite parties except O.P. No.6 and the election for the post of Mukhiya for Kabaiya Gram Panchayat, Purnea East, District Purnea with regard to the tenure of 2016-2021 stood cancelled and a direction for fresh election for the vacancy caused was also passed.

And, after setting aside the aforesaid judgment, be further pleased to issue writ of Mandamus commanding and directing the respondents for reinstatement of the writ petitioner to be restored to the post of Mukhiya and for any other writ, rule, direction for which the writ petitioner may be entitled under such facts and circumstances.

Even the subsequent 2021 Panchayat General Election has taken place in the State of Bihar. There is no representation on behalf of the petitioner apparently because this writ application has become infructuous with the passage of time.

This writ application is, accordingly, dismissed as having become infructuous.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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