

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20625 of 2021

Nitu Devi Wife of Dharmendra Kumar, Resident of Village - Kataha, P.S. -
Mufassil, District - East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Election Commission, Patna, Bihar.
2. The Secretary, Election Commission, Patna, Bihar.
3. The District Election Officer (Panchayat) - Cum - District Magistrate, East Champaran, Motihari.
4. The Returning Officer (Panchayat) - Cum - Block Development Officer, Motihari.
5. The Block Statistical Officer - Cum - Assistant Returning Officer, Motihari.
6. The Block Panchayati Raj Officer - Cum - Assistant Returning Officer, Motihari.
7. Rima Devi, Wife of Ranjan Kumar, Resident of Village - Kataha, P.S. - Mufassil, District - East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma
For the Respondent State: Mr. Mritunjay Kumar, AC to AAG-6
For the Respondent SEC : Mr. Girish Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 19-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Followings are the reliefs, which the petitioner has sought in the present writ application:

“This application is for issuance of writ in the nature of mandamus to grant certificate to the



petitioner as an elected candidate for the post of Sarpanch of Kataha Panchayat, East Champaran, Motihari and in the nature of certiorari to cancel the certificate issued to the respondent no.6 namely, Rima Devi which is issued to Rima Devi illegally, arbitrarily and unconstitutionally by Returning Officer (Panchayat)-cum-Block Development Officer, Sadar, Motihari and further to stay the oath ceremony of the respondent no. 6 held on 16.12.2021 and further for any other relief/reliefs for which the petitioner may found entitled.”

Learned counsel for the petitioner, after some arguments, seeks permission to withdraw this application with a liberty to prefer an election petition, questioning the election of returned candidate, who has been impleaded as respondent no. 7.

This writ application stands dismissed as withdrawn with the liberty as aforesaid.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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