

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1855 of 2018

Ashok Rai Son of Jagnath Rai, Resident of Village- Tajpur, Saraiya, P.S. Rajepur, District East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
3. The Director Panchayat Raj Department Government of Bihar, Patna.
4. The District Magistrate, cum District Election Officer Panchayat, East Champaran at Motihari, Gove
5. The Sub Divisional Officer Pakari Dayal District East Champaran.
6. The Block Development officer Tetaria- cum-Election Officer Tetaria, District East Champaran.
7. The State Election Commission Panchayat Bihar, Patna through State Election Commission, Sone Bhawa
8. The Commissioner State Election Commission, Bihar, Sone Bhawan, Birchand Patel Path, Patna.
9. Pramod Kumar Yadav, Son of Nageshwar Prasad Yadav, Resident of Village and Post Tetaria, P.S. Rajepur, District East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sri Krishna Ranjan
For the Respondent/s : Mr. Kumar Alok -Sc7

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner, learned counsel for the State along with learned counsel for the State Election Commission, Mr. Sanjeev Nikesh.

The present writ application has been filed seeking quashing of the order dated 21.12.2017 passed in Case No. 55 of 2017 by the respondent No. 8 whereby the respondent No. 8 has directed the respondent No. 4 to lodge first information report against the petitioner under Section 125K(1) and (3) of the Bihar Panchayat Raj Act, 2006, further for commanding the



respondent No. 4 to restrain further action pursuant to the orders passed by respondent No. 8 dated 21.12.2017.

On query of the Court, the learned counsel for the petitioner submits that in pursuance of the order dated 21.12.2017, already an FIR has been instituted for which he has already moved before an appropriate forum seeking redressal of his grievance, the learned counsel for the Election Commission thus submits that the present writ application was filed only for quashing of the dated 21.12.2017 by which a direction was issued to lodge a first information report and since the first information report has already been instituted and the petitioner has moved seeking quashing of the FIR as submitted by the learned counsel for the petitioner, as such, the present writ application has spent its course.

Considering the submissions made by the learned counsel appearing for the State Election Commission, the writ application is disposed.

(Satyavrat Verma, J)

HarshPandey/-

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