

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3135 of 2023

=====

Bajrang Bahadur Singh, Son of Shri Krishna Kant Singh, Resident of Mohalla - Shanti Nagar, Ward No. 11, Bhabua, P.S. - Bhabua, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Patna.
4. The District Magistrate, Kaimur at Bhabua.
5. The Executive Officer, Nagar Parishad, Bhabua, District - Kaimur at Bhabua.
6. Shri Jainendra Arya, Ex. Chief Councilor, Nagar Parishad, Bhabua, Son of Shri Balmukund Madhav, Resident of New Madhuran Grih, Ward No. 12, P.S. - Bhabua, District - Kaimur at Bhabua.
7. The State Election Commission, Bihar, Patna through its Secretary.
8. The Secretary of the State Election Commission, Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sourendra Pandey, Advocate
For the Respondent/s	:	Mr. Shankar Kumar, Advocate
For the SEC	:	Mr. Sanjeev Nikesh, Advocate
For the Respondent No.5	:	Mr. Nikesh Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-08-2023

Heard Mr. Sourendra Pandey, learned counsel appearing on behalf of the petitioner, Mr. Sanjeev Nikesh, learned counsel for the State Election Commission and Mr. Nikesh Kumar, learned counsel for the Nagar Parishad, Bhabua (respondent no. 5). The State is represented by Mr. Shankar Kumar.



2. The petitioner by invoking the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India, seeking a direction upon the respondent no. 2 to take appropriate action upon the report dated 23.09.2020 submitted by the Senior Deputy Collector, Kaimur to the District Magistrate, Kaimur at Bhabua as contained in Annexure – 3 to the writ petition as also in the light of the letter as contained in Memo No. 2631 dated 06.07.2021 (Annexure – 6).

3. The petitioner highlighted certain irregularities committed by the private respondent no. 6, while he was discharging his duty as a Chief Counselor. Now, the submissions of the petitioner is only confine to the fact that, despite the aforementioned report and the letter issued by the Deputy Secretary, State Election Commission, Bihar, till date the same has not taken to its logical conclusion, which compelled the petitioner to approach before this Court.

4. At this juncture, counsel for the respondents seek a short adjournment to respond to the matter.

5. However, considering the nature of the grievance and the relief sought for, this Court deems it apt and proper to dispose of the present writ application with a liberty to the petitioner to file a representation before the Divisional



Commissioner, Patna (respondent no. 3) along with all the relevant documents in support of assertion.

6. Needless to observe that if such a representation is filed within a period of four weeks from today, the respondent no. 2 shall consider the same, in the light of the report dated 23.09.2020 (Annexure – 3) as well as the letter dated 06.07.2021 (Annexure – 6) and take appropriate action, in the matter, in accordance with law.

7. Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	23.08.2023.
Transmission Date	

