

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11579 of 2022

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Bholaram Dhari S/o Late Sardari Dhari, Resident of Village- Mahramchak,
P.S. Birupur, District Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, State Election Commission, Bihar, Patna.
2. The District Election Officer-cum- District Magistrate, Lakhisarai, Official Headquarter Lakhisarai, Pin- 811311.
3. The Returning Officer-cum- Block Development Officer, Barahiya, Lakhisarai.
4. Laxmi Devi, Wife of Kampani Paswan, Resident of Village- Birupur, P.S. Birupur, District Lakhisarai.
5. Arun Ram, Son of Late Lalo Ram, Resident of Village- Mahramchak, P.O. Birupur, P.S. Birupur, District Lakhisarai.
6. Amarjit Kumar, Son of Ram Prakash Ram, Resident of Village- Mahramchak, P.O. Birupur, P.S. Birupur, District Lakhisarai.
7. Arjun Tanti, Son of Late Suraj Tanti, Resident of Village- Nathanpur, P.O. Birupur, P.S. Birupur, District Lakhisarai.
8. Bambam Mochi, Son of Ramji Mochi, Resident of Village- Pali, P.O. Birupur, P.S. Birupur, District Lakhisarai.
9. Anita Devi, W/o Mahesh Ram, Resident of Village- Saraura, P.O. Birupur, P.S. Birupur, District Lakhisarai.
10. Ramotar Paswan, Son of Late Horil Paswan, Resident of Village- Nathanpur, P.O. Birupur, P.S. Birupur, District Lakhisarai.
11. Naresh Ram, Son of Late Matki Ram, Resident of Village- Kamarpur, P.O. Birupur, P.S. Birupur, District Lakhisarai.
12. Nepali Rajak, Son of Late Chamru Rajak, Resident of Village- Pali, P.O. Birupur, P.S. Birupur, District Lakhisarai.
13. Laxmi kant Paswan, Son of Chandar Paswan, Resident of Village and P.O. Birupur, P.S. Birupur, District Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate Ms. Kumari Pallavi, Advocate
For the Respondent/s	:	Mr. P.K. Verma, AAG-3 Mr. Sumar Kumar Jha AC to AAG-3
For the S.E.C.	:	Mr. Sanjiv Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER



5 04-05-2023 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the State Election Commission.

Learned counsel for the petitioner submits that petitioner contested the election of Mukhiya for Gram Panchayat Pali under Barahiya Block within the District of Lakhisarai, in the election the petitioner secured second position and private respondent No. 4 was elected as Mukhiya. The petitioner challenged the election of private respondent No. 4 by filing an election petition being election petition No. 3 of 2021 which is pending for adjudication in the Court of learned Munsif, Lakhisarai. The learned counsel for the petitioner next submits that despite filing of election petition by the petitioner, the same has not progressed, accordingly the present writ application was filed for a direction upon the learned Trial Court to conclude the election petition within a time frame. The learned counsel next submits that by order dated 18.03.2023 a report was called for from the learned Trial Court with regard to the State of the trial in connection with Election Petition No. 3 of 2021.

In compliance of the order dated 18.03.2023 the



report has been received by letter No. 20/23 dated 29.03.2023 of the learned Sub-Judge-III Lakhisarai, from perusal of the same it would manifest that the private respondent No. 4 herein has appeared and filed her written statement, earlier by order dated 18.08.2022 the case was fixed for ex parte herein but on appearance of the private respondent No. 4 herein the order dated 18.08.2022 was recalled, further it has been recorded that W.S. from the side of the State is still wanting.

Considering the report submitted by the learned Trial Court, the writ application is disposed of with a direction that the Election Petition No. 3 of 2021 be decided expeditiously and preferably within a period of one year from the date of receipt/production of a copy of this order.

Accordingly, the present writ application is disposed of.

(Satyavrat Verma, J)

Adnan/-

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