

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15397 of 2022

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Bachchan Prasad Singh Son of Late Udeswar Prasad Singh @ Late Udeswar Singh, Resident of Village Lakaraha, P.S. Sono, District- Jamui, Bihar, Pin Code- 811314

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
2. The State Election Commission, Bihar, Patna.
3. The District Magistrate cum District Election Officer (Panchayat), District Jamui.
4. The District Panchayat Raj Officer, District Jamui.
5. The Block Development Officer, Block Sono, District Jamui.
6. The Circle Officer, Circle Sono, Sono Block, District- Jamui.
7. The Returning Officer, Panchayat Raj Election, Sono Block, District- Jamui.
8. The Mukhiya, Loha Panchayat, Sono Block, District- Jamui.
9. Jamadar Singh Son of Late Nunu Lal Singh, resident of Village Loha, P.S. Sono, District- Jamui, Bihar, Pin- Code 811314

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prem Ranjan Raj
For the Respondent/s	:	Mr.Mahes Raj, GA-5
For Election Com.	:	Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2023 Heard the parties.

The present petition has been preferred for the following relief:

(i) for withdrawing the Election Case No.01 of 2021 filed on 16-11-2021 pending before the learned Munsif 1st, Jamui and dispose the same on merit, as the learned court is treating the



case as regular civil matter and not inclined to dispose the aforesaid election petition in near future moreover 10 months have been lapsed for want of appearance of the respondent no 09;

(ii) for a direction to set aside the election of the returned candidate, i.e. the respondent no. 9, to the post of 'Mukhiya' from the territorial Constituency no.13, Loha Gram Panchayat under Sono Block, District Jamui, and declare the result of the same as void ab initio;

(iii) for declaring the respondent no. 9 be disqualified from contesting the elections on the ground of corrupt Practices under section 136 (1) (j) of the Bihar Panchayat Raj Act 2006 and other appropriate law and principles of election.

(iv) for a direction to concerned authorities to restrain the power of the 'Mukhiya', (respondent no.08);

(v) for passing such other orders as deemed fit and proper in the facts and circumstances of



this case.

It is expected that the learned Munsif-1st, Jamui shall take up the Election Case No. 01 of 2021 and see to it that the same is taken to its logical conclusion expeditiously so that the purpose for which the same has been filed is not defeated.

The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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