

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18000 of 2022

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Dhiraj Kumar Son of Shyamnandan Prasad, Resident of Village- Dhanak,
Dobh, P.S. and Post- Ghoswari, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The State Election Commission, Sone Bhawan Veerchand Patel Marg, Patna.
3. The Secretary, State Election Commission, Sone Bhawan, Veerchand Patel Marg, Patna.
4. The District Magistrate, Patna.
5. The Block Development Officer, Goshwari, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shyam Kishore, Advocate
For the Respondent/s	:	Mr. Satya Vrat, AC to GP 10
For the S.E.C.	:	Mr. Sanjeev Nikesh, Advocate
		Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-08-2023 Heard the parties.

The present writ petition has been filed for the following reliefs:-

a) a writ in the nature of MANDAMUS or other appropriate writ/s, order/s, direction/s commanding the respondents for the following:

(i) to direct the Respondent Authorities to hold the election for the post of Mukhiya of Gram Panchayat Ghoswari under Ghoswari Block, Patna, in upcoming Panchayat Bye-Election, 2022-23, which is vacant from 04.11.2022 on disqualification of the then Mukhiya Arti Kumari by order dated 03.11.2022 passed by the Commissioner, State Election



Commission, Bihar in Case No. 04 of 2022;

(ii) to direct the Respondent Authorities to issue a fresh list for the Panchayat Bye-Election, 2022-23 including the name of Petitioner's Panchayat i.e. Gram Panchayat Ghoswari under Ghoswari Block, Patna in pursuance of Memo No. 5600 dated 21.11.2022.

It has been informed by Mr. Sanjeev Nikesh, learned Counsel appearing for the State Election Commission that the election has already been held for the post of 'Mukhiya' of Gram Panchayat-Ghoswari in the District of Patna and as such, the matter has become infructuous.

It is his further submission that issue already stands decided by the Patna High Court in **CWJC No. 1452 of 2023 (Arti Kumari vs. Bihar State Election Commission (Panchayat) and ors.)** reported in **2023 (3) BLJ 558**.

In view of the aforesaid facts, the writ petition has become infructuous.

Accordingly, the petition stands disposed of.

(Rajiv Roy, J)

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