

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3293 of 2024

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Gulshan Kumar Son of Ashok Kumar Singh, Resident of Village- Jagdishpur,
P.O.- Bharthauli, Gram Panchayat, Padarawan, P.S.- Jamhor, District-
Aurangabad.

... .. Petitioner/s

Versus

1. The State Election Commission (Panchayat) Sone Bhawan, Birchand Patel Path, Patna through the Secretary.
2. The State Election Commissioner, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
3. The Secretary, The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna.
4. Anil Paswan Son of Late Ramnath Paswan Resident of Village- Moredihri, P.O.- Padarawan, Gram Panchayat, Padarawan, P.S.- Jamhor, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Ravi Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2024 Heard the parties.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“For issuance of an appropriate writ in
the nature of MANDAMUS ,commanding and
directing the learned Munsif, Civil Court,
Aurangabad for early disposal of Election
Petition No.01 of 2021, which has been filed by
the petitioner to challenge the election of the
Respondent no.4 on the ground that if the*



elections are brought for a term contemplated under the Statute itself i.e. for five years, in the interest of justice, a petition challenging the validity of an election has to be decided on priority over other cases to save such petitions to be rendered infructuous.

(II) For issuance of any other appropriate writ/writs, order/ orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

3. The petitioner has genuine grievance and simply want the Election Petition No. 01 of 2021 to be taken to its logical conclusion.

4. A coordinate Bench on 08.04.2024 had called for a report from the concerned Court and as per the report (letter no. 14/2024) dated 16.04.2024, due to the non-cooperative attitude of the opposite party, who earlier chose not to appear even after the Gazette publication and when the matter was being heard ex parte, again came forward and this petition was allowed subject to payment of Rs. 2,000/-.

5. From the facts it is clear that the opposite party no. 2 is delaying the process.



6. In that background, this Court disposes of the writ petition directing the concerned Court to take up the matter and the hearing be expedited and even if the opposite party shows non-cooperative attitude, should try to take the matter to its logical conclusion preferably by 31st December, 2024.

7. Let a copy of the order be communicated to the learned District Judge, Aurangabad for his perusal and needful action.

(Rajiv Roy, J)

Adnan/-

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