

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21704 of 2014

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1. Ajit Kumar S/o Late Gaya Chaudhary Resident of Village Madhuban, P.O. Kalwari, P.S. Kanti, District Muzaffarpur, presently Member of Bihar Legislative Assembly, 95 Kanti Assembly Constituency.
 2. Suresh Chanchal S/o Mewa Lal Paswan Resident of Village and P.O. Muraul, P.S. Sakra, District Muzaffarpur, presently Member of Bihar Legislative Assembly, 92 Sakra Assembly Constituency.
 3. Raju Kumar Singh S/o Sri Uday Pratap Singh Resident of Village and P.O. Bara Daud, P.S. Paroo, District Muzaffarpur, presently Member of Bihar Legislative Assembly, 98 Sahebganj Assembly Constituency.
 4. Poonam Devi W/o Late Janeshwar Prasad Singh Resident of Village and P.O. Surungapur, P.S. Kalpa, District Jehanabad, presently Member of Bihar Lagislative Assembly, 181 Digha Assembly Constituency.

... .. Petitioner/s

Versus

1. The Bihar Legislative Assembly Patna through the Secretary
2. The Speaker, The Bihar Legislative Assembly, Patna.
3. The Secretary, Bihar Legislative Assembly, Patna.
4. Sri Shravan Kumar S/o Not known to the petitioner Chief Whip of the Ruling Party, Bihar Legislative Assembly, presently residing at 12A, Bailey Road, P.O. G.P.O., P.S. Secretariat, District Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandan, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-06-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(I) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent no.3 to produce on record the order dated 10.12.2014 passed by the Respondent no.2, whereby and where under he has been pleased to reject the prayer made



on behalf of the writ petitioners to provide them an opportunity of cross- examination of the Respondent no.4 and on production the same may be quashed by issuance of an appropriate writ in the nature of CERTIORARI on the ground that rejection of prayer on behalf of the writ petitioners would amount to denial of principles of NATURAL JUSTICE and therefore, cannot be sustained in the eye of law.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent no.2 to direct the Respondent no.4 to make himself available for his cross-examination in a proceeding pending before the Respondent no.2 under the Tenth Schedule of Constitution which is most important for the proper defense of the writ petitioners.

(III) For a declaration that if the order passed by the Respondent no.2 on the similar sets of allegation against four other Legislators is under challenge before this Hon'ble Court in C.W.J.C. No.18807 of 2014 in which argument has already been concluded, propriety demands that Respondent no.2 should await the other proceedings pending before him against the writ petitioners in which also the allegations are same until the disposal of the writ petition by this Hon'ble Court or at least for a reasonable time awaiting the judgment of



this Hon'ble Court. ”

2. At the outset, the learned counsel for the petitioners submits that with the efflux of time, the present writ petition has been rendered infructuous, hence the same be disposed off.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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