

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8336 of 2024

Pinki Singh

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Adv
For the Respondent/s : Mr. Kameshwar Kumar (Gp 17)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2024 Heard Mr. Shashi Shekhar Tiwary, learned counsel
for the petitioner and Mr. Amit Bhushan, learned AC to GP-17.

2. The present writ petition has been preferred for the
following relief(s):

(i) *The answering respondents may kindly be directed to make immediate enquiry with regard to the declaration / veracity of the documents made available by the respondent no. 5 during her nomination / participation into the Municipal Election 2022;*

(ii). *the answering respondents make kindly be directed to discharge their statutory obligation with regard to redressal of the petitioner's grievances which has been made legitimately before them at relevant point of time;*

(iii). *the answering respondents may kindly be restrained from allowing an illegality / wrong to be perpetuated in the present matter*



action on account of the in non- action entirely attributable to them as under the grab of the same a highly in competent person has been allow work as Parshad under the ward No. 19 Dihari, Dalmiyanagar, Rohtas;

(iv) the answering respondents may kindly be directed to dispose of the petitioner's representation (Annexure-3 series, Page-32) at earliest which has been kept pending since long, while passing reasoned cum speaking order over the same and taking punitive action, while holding him unfit/ disqualified for the post in question;

(v) the answering respondents may kindly be directed to stop the working of the responded no. 5 with immediate effect, particularly with the financial matter, till the final disposal of the present case.

3. Learned counsel for the petitioner submits that a petition has been preferred before the respondent No. 2, State Election Commission, Bihar, Patna bringing on record the illegal election of the respondent No. 5, Anita Devi from Ward No. 19 Dihari, Dalmiya Nagar Parishad *inasmuch* as she was blessed with three children at that time of election. He submits that despite the filing of the petition before the State Election Commission in the year 2022, the same has not been taken to its logical conclusion.



4. Learned State Counsel submits that if such petition is pending, it has to be taken to its logical conclusion.

5. Taking into account the limited prayer for which the petitioner has come, the writ petition stands disposed of directing the respondent No. 2, the State Election Commission to take up the matter, notice all the relevant parties, if still not noticed and then after hearing them and perusing the records, pass an appropriate order preferably within a period of six months from the date, a fresh petition is preferred by the petitioner.

(Rajiv Roy, J)

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