

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2121 of 2023

In
Civil Writ Jurisdiction Case No.464 of 2023

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Mitari Devi, female, aged about 76 years, Wife of Sri Ajab Lal Mandal, resident of village- Khajana, P.O.- Dhankuria, P.S.- Belhar and District- Banka-813207.

... .. Petitioner/s

Versus

1. The State Election Authority, Bihar Patna through the Chief Election Officer, namely, Sri Girish Shankar.
2. The Secretary, the State Election Authority, Bihar, Patna, namely, Purushottam Paswan.
3. The Registrar, Cooperative Society, Bihar, Patna.
4. The District Magistrate-cum-District Election Officer, Banka.
5. District Cooperative Officer, Banka.
6. The Block Development Officer-cum-Election Officer, Fullidumar.
7. The Chairman, Fullidumar Fisheries, Cooperative Society Limited.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harshit Griyaghey, Adv.
For the Opposite Party/s : Mr. Mahtab Alam, AC to SC-20
For the State Election Authority : Mr. Mukesh Kumar Thakur, Adv .

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)
Date : 16-02-2024

Re. I.A. No. 1 of 2023 :-

Mr. Harshit Griyaghey, the learned Advocate for the petitioner has informed this Court that the afore-noted interlocutory application has become infructuous now.



2. I.A. No. 1 of 2023 is dismissed as having become infructuous.

Re. M.J.C. No. 2121 of 2023 :-

3. We have also taken up the contempt petition.

4. Heard the learned counsel for the parties.

5. By order dated 01.02.2023, a Division Bench of this Court in C.W.J.C. No. 464 of 2023 had directed the State Election Authority to scrutinize the entire voter list and apply a standard uniform policy with regard to the eligibility of the voters to be included and those to be excluded from such list. This was just prior to the election which was scheduled and after the exercise was undertaken by the State Election Authority, the Returning Officer was to be informed about it.

6. It appears from the records that the directions given by the Division Bench were carried out and the election process was completed.

7. The learned Advocate for the petitioner has



submitted that in fact the order of the Bench was not carried out in letter and spirit and no uniform policy was adopted in identifying the voters or excluding them from the list.

8. That would require a fresh consideration, if at all it were a fact.

9. Merely castigating an action of the State Election Authority on the annul of it not having complied the order in letter and spirit would not make out any case for initiating a contempt proceeding against the proposed contemnors.

9. There is no merit in this petition and the same is dismissed.

(Ashutosh Kumar, J)

(Harish Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17.02.2024
Transmission Date	N/A

