

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13160 of 2025

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Sri Saryug Mochi @ Saraug Mochi, S/o- GanauriMochi, R/o-Akopur,
(Arokur) P.O.-Amarpura, P.S.- Naubatpur, District-Patna, Bihar-801117.

... .. Petitioner/s

Versus

1. The State Election Commissioner, State Election Commission (Municipality), Sone Bhawan, 3rd Floor, Veerchand Patel Path, Patna.
2. The District Magistrate- Cum- District Election Officer(Municipality), Patna, District-Patna.
3. The Sub-Divisional Magistrate, Danapur, District-Patna.
4. Ashok Kumar, Son of -Ram Naresh Yadav, Resident of-MohniPokhar, P.O.-Amarpur, P.S.- Naubatpur, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Adv.

For the Respondent/s : Mr. Anant Pd. Singh, SC15

Mrs. Deepika Sharma, AC to SC15

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed with the
following reliefs:-

*I. For issuance of direction to the
respondent State Election Commissioner, State
Election Commission (Municipality) to grant
opportunity to the petitioner to submit their reply
in Case No.-26/2025 and provide opportunity of
proper hearing before the pronouncement of
judgment.*

*II. The petitioner further prays that the
respondent State Election Commissioner
(Municipality) be directed to respect his own
direction contained in Letter No.-3097, Dated
11.07.2025 whereby he directed the D.M.-cum-*



District Election Officer (Municipality), Patna to hold an enquiry with regard to allegation made in Case No.-26/2025 and submit report but most unfortunately State Election Commissioner without even waiting for the enquiry report proposed to be carried out and to be submitted by the District Magistrate, Patna has reserve the judgment on 23.07.2025 and expected to deliver the final judgment on 25.07.2025, the date on the State Election Commissioner is going to attained his superannuation.

3. Counsel for the State raise preliminary objection and submits that there is no grievance of the petitioner at present as the opportunity of hearing has already been granted to him and till date, no order has been passed and proceeding is going on.

4. In this background, this Court is not inclined to interfere in the process of judgment delivery.

5. Accordingly, the present writ application is hereby dismissed with liberty granting to the petitioner that if he shall aggrieved by the order passed by the authority concerned, then he may take legal recourse in accordance with law.

(Dr. Anshuman, J.)

Prakashmani/-

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