

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.426 of 2026

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Birendra Baitha Son of Late Munnilal Baith @ Munilal Rajak Resident of Mohalla- Shantinagar, P.S.- Paliganj. District- Patna. At present Chief Councillor, Nagar Panchayat Paliganj, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The State Election Commission, Bihar, Sone Bhawan Veerchand Patel Marg, Patna.
3. The Commissioner, State Election Commissioner, Bihar, Sone Bhawan Veerchand Patel Marg, Patna.
4. The Secretary, State Election Commission, Bihar, Sone Bhawan, Veerchand Patel Marg, Patna.
5. The District Magistrate, Patna.
6. The Sub-Divisional Officer, Paliganj, Patna.
7. Rajani Kumari Wife of Mukesh Kumar, Resident of Mohalla- Bans Kothi, Christan Colony, Digha, P.O. and P.S.- Digha, District- Patna. At present residing at Mohalla- Nirakhpur, Purani Saraiya, P.S.- Paliganj, District- Patna and Deputy Chief Councillor, Nagar Panchayat Paliganj, Paliganj, Patna.
8. The Executive Officer, Nagar Panchayat Paliganj, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Shyam Kishore, Advocate Mr. Shreyanshu Kumar, Advocate
For the State	:	Standing Counsel-25
For the Resp. No.7	:	Mr. Awnish Kumar, Advocate Mr. Rishi Raj, Advocate
For the Resp. No.8	:	Mr. Sunil Kumar, Advocate
For the State Election Comm.	:	Mr. Ravi Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 17-04-2026 The petitioner has filed the instant application for the following reliefs :-

“A. A writ in the nature of CERTIORARI or any other appropriate writ/s, order/s, direction for quashing /setting aside the order 11.12.2025 passed in Case No. 24 of 2025



(Rajani Kumar Vs. Birendra Baitha) whereby and where under the Commissioner, State Election Commission, Bihar was pleased to reject the preliminary objection of the Petitioner and 16.01.2025 has been fixed for further hearing of the case.

B. A writ in the nature of PROHIBITION or any other appropriate writ/s, order/s, direction/s commanding the Respondents for the following:

i. To restrain the Respondent No. 3 from the hearing the aforesaid bearing Case No. 24 of 2025 as the allegation levelled by the private Respondent cannot be decided in summary proceeding and the Respondent No. 3.

C. To any other relief/s which the Petitioner is found entitled to.”

2. Mr. Shyam Kishore, learned counsel for the petitioner seeks permission to withdraw this application.

3. In view of the above, the application is dismissed as withdrawn.

(Partha Sarthy, J)

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