

**(2013) 07 SC CK 0082**

**In the Supreme Court Of India**

**Case No :** Writ Petition (Civil) No. 694 of 2004

Basant Kumar Chaudhary

APPELLANT

Vs

Union of India and Others

RESPONDENT

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**Date of Decision :** 10-07-2013

**Acts Referred:**

Representation of the People Act, 1951 — Section 8(4)

**Citation :** (2013) 3 JLJR 365 : (2013) 5 KarLJ 26 : (2013) 3 PLJR 276 : (2013) 3 RCR(Civil) 823 : (2013) 8 SCALE 486

**Hon'ble Judges :** Sudhansu Jyoti Mukhopadhaya, J;A.K. Patnaik, J

**Bench :** Division Bench

**Final Decision :** Dismissed

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## **Judgement**

1. The Petitioner is a practicing Advocate in the Patna High Court and has filed this writ petition as a Public Interest Litigation challenging Sub-section (4) of Section 8 of the Representation of the People Act, 1951 (for short 'the Act'), as ultra vires the Constitution.

2. This writ petition was heard along with W.P.(C) No. 490 of 2005 and W.P.(C) No. 231 of 2005 in which Sub-section (4) of Section 8 of the of the Act is also challenged as ultra vires the Constitution.

3. We have today delivered the judgment in W.P.(C) No. 490 of 2005 and W.P.(C) No. 231 of 2005. Hence, this writ petition is disposed of in terms of the aforesaid judgment in W.P.(C) No. 490 of 2005 and W.P.(C) No. 231 of 2005. No costs.