
(2016) 12 PAT CK 0002

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.6727 of 2015

Dilip Kumar Mishra

APPELLANT

Vs

The Union of India

RESPONDENT

Date of Decision : 05-12-2016

Acts Referred:

Constitution of India, 1950 — Article 171(2)

Citation : (2017) 2 PLJR 503

Hon'ble Judges : Hemant Gupta, ACJ. and Vikash Jain, J.

Bench : Division Bench

Advocate : Mr. Rajeev Ranjan No.II, Advocate, for the Petitioner; Mr. Lalit Kishore, PAAG-1, for the State; Mr. Kaushal Kumar Jha, Advocate, for the Vidhan Parishad; Mr. Siddharth Prasad, Advocate, for the E.C.I.; Mr. Ravinder Kumar Sharma, CGC, for the U.O.I.

Final Decision : Dismissed

Judgement

Hemant Gupta, ACJ. (Oral)—Heard learned counsel for the parties.

2. The petitioner claims that the political parties should be entitled to setup candidates in constituency of local body in election of Bihar Legislative Council in view of the fact that such candidates with political affiliations are allowed in Graduate Constituencies, Teacher Constituencies and Legislative Assembly Constituencies.

3. We do not find that any direction can be issued for prescribing any other qualification other than prescribed by law framed in terms of Article 171 (2) of the Constitution. There cannot be any direction to frame a law and in a particular manner.

4. In view thereof, we do not find any merit in the writ application. The same is dismissed.