

(2019) 11 PAT CK 0137

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 23289 Of 2019

Mukesh Kumar Yadav

APPELLANT

Vs

State Of Bihar Through And Ors

RESPONDENT

Date of Decision : 26-11-2019

Acts Referred:

Citation : (2019) 11 PAT CK 0137

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Santosh Kumar, Ram Param Purushottam, Chitranjan Sinha,
Bindhyachal Rai, Mukesh Kumar

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the petitioner; learned AC to PAAG 2 for the State; learned counsel for the Bihar State Election Authority and learned counsel for the Bihar State Co-operative Bank.

2. The petitioner has moved the Court for the following reliefs:

"I. For commanding the respondents to include the name of the petitioner and other similarly situated other persons in the voter list whose details have been given in the Letter No. 679 dated 16.10.2019 for participating in the election, 2019 of Chanchaura Primary Agriculture Credit Society, Block Ekma, District Saran at Chapra whose election will be completed in December, 2019;

II. Also for directing the respondents to take action against the erring respondents from whose lapses even after depositing the member fee the name of the petitioner and other similarly situated other persons whose detail have been given in Letter No. 679 dated 16.10.2019 regarding the name of persons have not been included in the Voter List for participation in the election, 2019 of Chanchaura Panchayat Primary Agriculture Credit Society, Block, Ekma.

III. Also for necessary relief/direction to which the petitioners are found entitled

to in the facts and circumstances of the case for the ends of justice."

3. Learned counsel for the State brought to the notice of the Court order dated 18.11.2019 passed in CWJC No. 22149 of 2019 by which a Division Bench of this Court has refused to entertain similar plea by Gajendra Singh (petitioner of the aforesaid writ petition). The writ petition was disposed off giving liberty to the petitioner to raise all issues before the concerned authorities, in accordance with law. The Division Bench has also relied upon similar order dated 10.08.2009 passed in LPA No. 1028 of 2009.

4. It is not in dispute that the election has been notified on 31st October, 2019.

5. Faced with the situation, learned counsel for the petitioner submitted that the matter be disposed off in terms of the liberty given by the Division Bench in CWJC No. 22149 of 2019.

6. In view thereof, the writ petition stands disposed off with liberty aforesaid.