

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3501 of 2024

Prof. (Dr.) Ram Bali Singh son of Late Ramanand Singh, resident of Village-Ojha Bigha, P.O. Baidrabad, P.S. Arwal, District-Arwal.

... .. Petitioner/s

Versus

1. The Bihar Legislative Council, Patna through the Secretary.
2. The Secretary, The Bihar Legislative Council, Patna.
3. Sri Sunil Kumar Singh son of not known to the petitioner, presently Chief Whip (Ruling Party), resident of 101, Kanti Palace, Shastri Nagar, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	: Mr. S.B.K. Mangalam, Advocate Mr.Awnish Kumar, Advocate
For the Bihar Legislative Council	: Mr. Ashhar Mustafa, Advocate Mr. Vikash Kumar Jha, Advocate Mrs. Ansha Pathak, Advocate Mr.Vikash Kumar Jha, Advocate
For the E.C.I.	: Mr. Sidharatha Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 01-07-2024 Though the learned counsel for the petitioner is seeking to press I.A. No. 2 of 2024, whereby and whereunder a prayer has been made to stay the Notification dated 25.06.2024, issued by the Election Commission of India, notifying the bye-election to be held for the purposes of filling the vacancy, which has arisen in the Legislative Council of the State of Bihar on account of disqualification of the petitioner, however, the learned counsel for the respondents have pointed out that the present writ petition is required to be heard by the learned Division Bench of this Court,



in light of the directions issued by the Hon'ble Apex Court in a judgment rendered in the case of ***Election Commission of India vs. Bajrang Bahadur Singh & Ors.***, reported in **(2015) 12 SCC 570**, paragraph no. 67 whereof is reproduced herein below:-

“67. Such proceedings must be heard by a Bench of at least two Judges and be disposed of within a period of eight weeks from the date of initiation without fail. The Chief Justice of the High Court concerned will make an appropriate arrangement in this regard. If the abovementioned time-frame is strictly followed, the Commission would still be left with another eight weeks of time to comply with the obligations emanating from Section 151-A of the RP Act.”

In view of the aforesaid, let the matter be placed before the Hon'ble the Chief Justice for issuance of appropriate directions.

(Mohit Kumar Shah, J)

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