

Satyanarain Dudhani

Vs

Uday Kumar Singh and Others

Civil Appeal No. 4337 (NCE) of 1988

(M.H. Kania, Kuldip Singh JJ)

23.01.1990

JUDGMENT

KULDIP SINGH J.-

After hearing the arguments we reserved judgment in this election appeal. The Election Commission has announced fresh elections to the Bihar Legislative Assembly. There is thus an urgency to announce the judgment. For the reasons to be recorded later on we allow the appeal with costs and set aside the order of the High Court dated march 30, 1988 ordering recount and allowing inspection of ballot papers. As a consequence the order of the High Court dated December 6, 1988 declaring the election of the appellant to Tundi Assembly Constituency as void and declaring respondent Uday Kumar Singh as duly elected is also set aside. The election petition filed by Shri. Uday Kumar Singh challenging the election of the appellant Shri Satyanarain Dudhani is dismissed with costs. We quantify the costs as Rs. 7000.

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