

ITEM NO.23 COURT NO.6 SECTION PIL-W
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 772/2022

CHANDAN KUMAR Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(IA No.134780/2022-PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 07-11-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
 HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Chandan Kumar, Petitioner-in-person
 Mr. Vimal Johnson Kerketta, Adv.
 Saloni Sharan, Adv.
 Mr. Kumar Rajeev, Adv.
 Mr. Dharmsheela, Adv.
 Ms. Kumudini Priyadarshini, Adv.

For Respondent(s)

UPON hearing the Petitioner-in-person
 the Court made the following
O R D E R

Permission to appear and argue in person is granted.

We have heard the petitioner appearing in person.

By way of this petition, under Article 32 of the Constitution of India, the petitioner has prayed for the following relief(s):

- a) Issuance of a writ of *quo-warranto* against Respondent No.3 who has been appointed/reappointed Chief Minister of Bihar on 10.08.2022 and remove him from the office of Chief Minister as the same is in complete violation of different provisions of Constitution of India;
- b) Declare that post-poll alliance or coalition by Respondent No.3 and his political party JD(U) with Mahagathbandhan is fraud on the electorate;

- c) Pass such direction to the political parties who are indulging in horse-trading and corrupt practices due to which the citizens are denied of stable governments;
- d) Kindly direct the Parliament to make proper legislation so that pre-poll alliance are not disintegrated by the money and power hungry leaders who completely alienate their party's political program in order to meet their personal goals.
- e) Kindly direct the Parliament to amend Schedule-X of the Constitution of India in order to address the defection by the pre-poll alliance parties.
- f) Pass such other or further order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case"

However, it is required to be noted that under the provisions of the anti-defection law and even the 10th Schedule, post-alliance subject to certain conditions is permissible.

Hence, there is no substance in the present writ petition which deserves to be dismissed and is, accordingly, dismissed.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR