

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL)..... Diary No(s).2168/2025

[Arising out of impugned final judgment and order dated 28-06-2021 in LPA No.113/2020 16-05-2024 in LPA No.125/2024 passed by the High Court of Judicature at Patna]

USHA DEVI@USHA KUMARI

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ORS.

Respondent(s)

IA No. 48909/2025 - CONDONATION OF DELAY IN FILING, IA No.48910/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 48911/2025 - EXEMPTION FROM FILING O.T., IA No. 48907/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

WITH

SLP(C) No. 12490/2024 (XVI)

IA No. 186697/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No.186699/2024 - EXEMPTION FROM FILING O.T., IA No. 126769/2024 - EXEMPTION FROM FILING O.T., IA No. 276878/2025 - EXEMPTION FROM FILING O.T., IA No. 128213/2024 - INTERVENTION/IMPLEADMENT, IA No.276880/2025 - INTERVENTION/IMPLEADMENT, IA No. 224780/2024 - INTERVENTION/IMPLEADMENT, IA No. 213756/2024 - INTERVENTION/IMPLEADMENT, IA No. 209978/2024 - INTERVENTION/IMPLEADMENT)

SLP(C) No. 12560/2024 (XVI)

IA No. 200288/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No.200290/2024 - EXEMPTION FROM FILING O.T., IA No. 127706/2024 - EXEMPTION FROM FILING O.T., IA No. 127707/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 13107/2024 (XV)

IA No. 200960/2024 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 131880/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Diary No(s). 37207/2024 (XVI)

IA No. 186332/2024 - CONDONATION OF DELAY IN FILING, IA No.227659/2024 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 234896/2024 - DISCHARGE OF ADVOCATE ON RECORD, IA No.186323/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 186320/2024 - EXEMPTION FROM FILING O.T., IA No.186335/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19622/2024 (XVI)

IA No. 206284/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No.207964/2024 - EXEMPTION FROM FILING O.T., IA No. 189106/2024 - EXEMPTION FROM FILING O.T., IA No. 12083/2025 - EXEMPTION FROM FILING O.T., IA No. 238795/2024 - EXEMPTION FROM FILING O.T., IA No. 12082/2025 - MODIFICATION, IA No. 238794/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 230724/2024 - VACATING STAY

SLP(C) No. 21208-21209/2024 (XVI)

IA No. 213106/2024 - EX-PARTE STAY, IA No. 204087/2024 - EX-PARTE STAY, IA No. 204088/2024 - EXEMPTION FROM FILING O.T., IA No.200870/2024 - EXEMPTION FROM FILING O.T., IA No. 226579/2024 - EXEMPTION FROM FILING O.T., IA No. 213107/2024 - EXEMPTION FROM FILING O.T., IA No. 226578/2024 - INTERVENTION APPLICATION

SLP(C) No. 25106/2024 (XVI)

SLP(C) No. 23340-23341/2024 (XVI)

IA No. 234981/2024 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No. 224722/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 224723/2024 - EXEMPTION FROM FILING O.T., IA No.22908/2025 - EXEMPTION FROM FILING O.T., IA No. 22907/2025 - RESTORATION, IA No. 43769/2025 - RESTORATION

SLP(C) No. 23456-23457/2024 (XVI)

IA No. 296515/2024 - EARLY HEARING APPLICATION, IA No. 35491/2025 - EX-PARTE STAY, IA No. 21009/2025 - EX-PARTE STAY, IA No.291099/2024 - EX-PARTE STAY, IA No. 265914/2024 - EXEMPTION FROM FILING O.T., IA No. 63406/2025 - EXEMPTION FROM FILING O.T., IA No. 229925/2024 - EXEMPTION FROM FILING O.T., IA No. 291100/2024 - EXEMPTION FROM FILING O.T., IA No. 63405/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 229923/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 265912/2024 - STAY APPLICATION

Diary No(s). 45257/2024 (XVI)

IA No. 238122/2024 - CONDONATION OF DELAY IN FILING, IA No.238123/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 238124/2024 - EXEMPTION FROM FILING O.T., IA No. 238120/2024 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Diary No(s). 45512/2024 (XVI)

IA No. 254143/2024 - CLARIFICATION/DIRECTION, IA No. 237081/2024 - CONDONATION OF DELAY IN FILING, IA No. 263376/2024 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 243047/2024 - EX-PARTE AD-INTERIM RELIEF, IA No. 237086/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 237087/2024 - EXEMPTION FROM FILING O.T., IA No. 243048/2024 - EXEMPTION FROM FILING O.T., IA No.254099/2024 - INTERVENTION/IMPLEADMENT, IA No. 237083/2024 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Diary No(s). 46051/2024 (XVI)

IA No. 239551/2024 - CONDONATION OF DELAY IN FILING, IA No.239552/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 239556/2024 - EXEMPTION FROM FILING O.T., IA No.239550/2024 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

SLP(C) No. 3013-3014/2025 (XVI)

IA No. 293754/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 72764/2025 - INTERVENTION/IMPLEADMENT, IA No.8129/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 47362/2024 (XVI)

IA No. 250701/2024 - DELETING THE NAME OF PETITIONER/RESPONDENT, IA No. 295875/2024 - EARLY HEARING APPLICATION, IA No. 43446/2025 - EX-PARTE STAY, IA No. 241493/2024 - EX-PARTE STAY, IA No.22832/2025 - EX-PARTE STAY, IA No. 237205/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 241495/2024 - EXEMPTION FROM FILING O.T., IA No. 22833/2025 - EXEMPTION FROM FILING O.T., IA No.237207/2024 - EXEMPTION FROM FILING O.T., IA No. 295876/2024 - EXEMPTION FROM FILING O.T., IA No. 250716/2024 - EXEMPTION FROM FILING O.T., IA No. 250715/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 47916/2024 (XVI)

IA No. 295513/2024 - AMENDMENT OF APPEAL/PETITION/I.A., IA No.3412/2025 - AMENDMENT OF THE PETITION, IA No. 187116/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 251065/2024 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 43451/2025 - EX-PARTE STAY, IA No.23022/2025 - EX-PARTE STAY, IA No. 240399/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 295515/2024 - EXEMPTION FROM FILING O.T., IA No. 23025/2025 - EXEMPTION FROM FILING O.T., IA No. 3413/2025 - EXEMPTION FROM FILING O.T., IA No. 2156/2025 - INTERVENTION/IMPLEADMENT, IA No. 187115/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

SLP(C) No. 2492/2025 (XVI)

IA No. 16279/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 16281/2025 - EXEMPTION FROM FILING O.T.

SLP(C) No. 942/2025 (XVI)

IA No. 13186/2025 - EX-PARTE STAY, IA No. 162243/2025 - EX-PARTE STAY, IA No. 7949/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 13187/2025 - EXEMPTION FROM FILING O.T., IA No.7950/2025 - EXEMPTION FROM FILING O.T., IA No. 162244/2025 - EXEMPTION FROM FILING O.T.

SLP(C) No. 1564-1565/2025 (XVI)

IA No. 14834/2025 - EX-PARTE STAY, IA No. 6530/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 6531/2025 - EXEMPTION FROM FILING O.T., IA No. 25769/2025 - EXEMPTION FROM FILING O.T.. IA No. 25768/2025 - INITIATING CONTEMPT PROCEEDINGS

Diary No(s). 2226/2025 (XVI)

IA No. 81321/2025 - CONDONATION OF DELAY IN FILING, IA No. 81322/2025 - CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS, IA No. 81328/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 81329/2025 - EXEMPTION FROM FILING O.T., IA No. 86489/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 81326/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Diary No(s). 14557/2025 (XVI)

IA No. 81643/2025 - CONDONATION OF DELAY IN FILING, IA No.81645/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 81647/2025 - EXEMPTION FROM FILING O.T., IA No. 81641/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

SLP(C) No. 8137/2025 (XVI)

IA No. 73121/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 73122/2025 - EXEMPTION FROM FILING O.T.

Date : 10-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :Ms. Mayuri Raghuvanshi, AOR  
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Mr. Navaniti Prasad Singh, Sr. Adv.  
Mr. Navin Pahwa, Sr. Adv.  
Mr. Vaibhav Niti, AOR  
Ms. Madhavi Agrawal, Adv.  
Mr. Madhur Mahajan, Adv.  
Mr. Divyanshu Agrawal, Adv.  
Mr. Mohit Bafna, Adv.

Mr. Tapesh Singh, Ad.  
Mr. Naveen Kumar, Adv.  
Mr. Aditya Goyal, Adv.  
Mr. Ujjawal Kumar Rai, Adv.  
Mr. Lakshya Singh, Adv.  
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Mr. Hassan Zubair Waris, Adv.  
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Ms. Shivangi Singh Rawat, Adv.

Mr. Suchit Singh Rawat, Adv.

Mr. Vinod Sharma, AOR

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Ms. Rupali, Adv.

For Respondent(s) : Dr. Menaka Guruswamy, Sr. Adv.

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Mr. Mayank Sharma, Adv.

Mr. Arindam Sarin, Adv.

Mr. Nishant Gautam, Adv.

Mr. Vinay Kaushik, Adv.

Mr. Utkarsh Pratap, Adv.

Ms. Arunima Das, Adv.

Ms. Aditi Tripathi, Adv.

Ms. Shikha Kaushik, Adv.

Mr. Vedant Singh, AOR

Mr. Smarhar Singh, AOR

Ms. Shweta Kumari, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Mohd Asim, Adv.

Mr. Manoj Kumar, Adv.

Mr. Pankaj Prakash, Adv.

Mr. Yash Thakur, Adv.

Mr. Anshul Narayan, Addl. Standing Counsel, Adv.

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Mr. Anshuman Harsh, Adv.

Mr. Indraj, Adv.

Mr. Prem Prakash, AOR

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Mr. Shrey Kapoor, AOR

Mr. Mohit Kumar Gupta, AOR

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Mr. Narendra Hooda, Sr. Adv.

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Mrs. Kshama Ma'Am, Adv.

Mrs. Kshama Sharma, Adv.

Mr. Rajesh Kumar Maurya, Adv.

Mr. Rajat Singh Chandel, Adv.

Mr. Ujjwal Ashutosh, Adv.

Mr. Ram Bachan Choudhary, Adv.

Mr. Yadunath Pandey, Adv.  
Ms. Alankarit Singh, Adv.  
Dr. Yadunath Pandey, Adv.

Mr. Manish Kumar, AOR  
Mr. Divyansh Mishra, Adv.  
Mr. Kumar Saurav, Adv.

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Ms. Megha, Adv.  
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Mr. Siddhant Narayan Das, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Heard learned senior counsel/counsel for the parties.
2. In light of the circumstances pointed out in Court, we find it appropriate to modify the interim orders passed from time to time by this Court to the following effect:

(i) In the following cases, a fresh special meeting shall be called regarding the no-confidence motion:

a. the no-confidence motion was not voted upon in the first meeting; or

b. the no-confidence motion has been voted upon in the first meeting with less than half of the total elected members having voted in favour of the motion;

(ii) Such special meetings shall be held notwithstanding the outcome of the second meeting on the no-confidence motion, if any, or the second no-confidence motion, if any, having been notified;

(iii) In the fresh special meetings, the motion shall be voted

upon only if at least two-thirds of the total elected members are present and voting;

- (iv) The no-confidence motion shall be held to have passed if more than half of the total elected members vote in favour of the no-confidence motion;
- (v) The no-confidence motion shall be taken to have failed if the minimum members prescribed in Clause (iii) are not present or if the required votes as per Clause (iv) are not met; and
- (vi) In case the no-confidence motion succeeds, the State Authorities and the State Election Commission shall to proceed with the relevant procedure for conducting bye-elections to the newly vacant positions.

3. It is clarified that the above modification shall only apply to the cases involved in the present batch of petitions, specifically only those covered by Clause (i), above. The interim protection granted in other cases before us, which are not covered by the said Clause, shall continue to operate.

4. I.A. No.187116/2025 in Diary No.47916/2024 is, accordingly, also disposed of.

5. List this batch of cases, along with all pending interlocutory applications, on 12.03.2026. The applicants seeking to intervene in

the various petitions shall be permitted to participate in the court proceedings on the days of hearing.

**(ARJUN BISHT)**  
**ASTT. REGISTRAR-cum-PS**

**(PREETHI T.C.)**  
**ASSISTANT REGISTRAR**