

GAHC040010822024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : IA(C)/140/2024

The District Election Officer
represented by Shri Marpe Riba, Son of Late K Riba, presently serving as Dy Deputy
DEO, DEO Office, Changlang, PO and PS Changlang, District Changlang, Arunachal
Pradesh

VERSUS

Nyasam Jongsam adn 3 Ors
Son of Late Khombang Jongsam, resident of Rangkatu, PO Chanaglang, PS
Changlang, District Changlang, Arunachal Pradesh 792120

2:Shi Tesam Pongte
Age: 0
Occupation :
Son of Shri Khodong Pongte
Resident of Changlang Town
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh 792120

3:Shri Dihom Kitnya
Age: 0
Occupation :
Son of Shri Nokchom Kitnya
resident of Village Hatongchu
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh 792120

4:Smti Marina Kenglang
Age: 0

Occupation :
Daughter of Late Yan Tikhak
resident of Old Changlang Village
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh 79212

Advocate for the Petitioner : Nani Anju,

Advocate for the Respondent : Appear in person,

Linked Case : Election Pet./2/2024

Shri Nyasam Jongsam
Age: 50
Occupation :
Address: Son of Late Khombang Jongsam
resident of Rangkatu
PO Chanaglang
PS Changlang
District Changlang
Arunachal Pradesh 792120

VERSUS

Shi Tesam Pongte and 2 Ors
Age: 0
Occupation :
Address: Son of Shri Khodong Pongte
Resident of Changlang Town
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh
2: Shri Dihom Kitnya
Age: 0
Occupation :
Address: Son of Shri Nokchom Kitnya
resident of Village Hatongchu
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh 792120

3:Smti Marina Kenglang
Age: 0
Occupation :
Address:Daughter of Late Yan Tikhak
resident of Old Changlang Village
PO Changlang
PS Changlang
District Changlang
Arunachal Pradesh 792120

Advocate for : Petitioner in Person
Advocate for : Gegum Lollen appearing for Shi Tesam Pongte and 2 Ors: Advocate ,

**BEFORE
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY**

ORDER

Date : 24-10-2024

Heard Ms. N. Anju, learned counsel for the applicant. Also heard Mr. Nyasam Jongsam, petitioner-in-person as opposite party.

The present application is filed by the District Election Officer (DEO) of Changlang District with a prayer to release the Electronic Voting Machines (EVMs/VVPATS) for further use, which are kept in strong room under the custody of the DEO of Changlang District as the election to the 53-Changlang North (ST) Assembly Constituency is challenged in the connected Election Petition No. 02/ (AP)2024.

The parties have submitted that the EVMs will have no relevance nor it can be used as evidence in the election proceeding and therefore, the contesting parties have no objection if the present applicant is allowed.

In view of the above, the present interlocutory application is allowed.

The District Election Officer of Changlang District shall be at liberty to take out the Electronic Voting Machines (EVMs/VVPATS) of the 53-Changlang North (ST) Assembly Constituency of for further use, as and when required.

Accordingly, the interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant