

GAHC040008652024



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

Case No. : IA(C)/144/2024

The District Election Officer
Age: 0
Occupation :
Address: represented by Shri Marpe Riba
Son of Late K Riba
presently serving as Dy DEO
DEO Office
Changlang
PO
PS and District Changlang
Arunachal Pradesh

VERSUS

Drishyamuni Chakma and 8 Ors
Age: 0
Occupation :
Address: Son of Mr Nilo Chandra Chakma
resident of Avoipur
PO and PS Diyun
Changlang District
Arunachal Pradesh 792103
2: The Election Commission of India
Age: 0
Occupation :
Address: through the Chief Election Commissioner
having its office at Nirvachan Sadan
Ashoka Road
New Delhi 110001

3: The State Election Commission
Age: 0
Occupation :

Address:through the Chief Electoral Officer
having its office at C sector
Old DC Office Building
Itanagar
Arunachal Pradesh 791111

4:The Retruning Officer / Additional Returning Officer

Age: 0

Occupation :

Address:49 Bordumsa-Diyun (General) Legislative Assembly Constituency
Arunachal Pradesh

5:Nikh Kamin

Age: 0

Occupation :

Address:Son of Late Nikh Khopi
resident of Power House Road
Naharlagun E Sector
PO and PS Naharlagun
Papumpare District
Arunachal Pradesh returned Candidate of National Congress Party

6:Somlung Mossang

Age: 0

Occupation :

Address:Son of Late Somkho Mossang
resident of Neotan village
PO and PS Miao
Changlang District
Arunachal Pradesh candidate of Bharatiya Janata Party

7:Biri Joy

Age: 0

Occupation :

Address:Son of Late Biri Togung
resident of Chimpu Itanagar
PO RK Mission
PS Chimpu
Papumpare District
Arunachal Pradesh Candidate of Peoples Party Arunachal

8:Upen Chandra Deori

Age: 0

Occupation :

Address:Son of Late Mohe Chandra Deori
resident of Mahadevpur
Namsai District
Arunachal Pradesh 792105 an Independent Candidate

9:Madan Tanti

Age: 0

Occupation :

Address:Son of Late Bharat Tanti

resident of Dumsi village

PO and PS Mahadevpur

Namsai District

Arunachal Pradesh candidate of Arunachal Pradesh Democratic Party

Advocate for : Nani Anju

Advocate for : K Hazarika appearing for Drishyamuni Chakma and 8 Ors: Advocate ,

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**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 04.12.2024

The case was taken up through Video Conferencing.

Heard Ms. N. Anju, learned counsel for the applicant. Also heard Mr. K. Hazarika, learned counsel for the respondent.

This interlocutory application has been filed for release of Electronic Voting Machines (EVMs/VVPATs) for further use which are kept in Strong Room under custody of District Election Officer, Changlang in respect of 49- Bordumsa- Diyun (Gen) Assembly Constituency.

It is submitted by Ms. Anju, learned counsel for the applicant, that the EVM Machines are still in Strong Room of District Election Officer and the same are required for further use and accordingly, the present interlocutory application has been filed by the District Election Officer, Changlang for release of the same.

Mr. Hazarika, learned counsel for the respondent, submitted in this regard that the issue does not pertain to the EVM Machines and hence, he has no objection if the EVM Machines are released accordingly.

In view of the submissions made by the learned counsels for both sides,

the present interlocutory application is hereby allowed. Accordingly, the District Election Officer, Changlang is hereby at liberty to take out the Electronic Voting Machines (EVMs/VVPATs) for further use which are kept in Strong Room under custody of District Election Officer, Changlang in respect of 49- Bordumsa- Diyun (Gen) Assembly Constituency.

In terms above, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant