

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7119 of 2016

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Gopal Kumar, son of Sri Ramadhar Prasad, resident of village-Mahmadda
Naya Tola, Ward No. 11, P.O. Mahmadda, P.S. Baruraj, District-
Muzaffarpur

.... Petitioner/s

Versus

1. The State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner
2. The State Election Commissioner, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna
3. The Secretary, the State Election Commission (Panchayat), Sone Bhawan, Birchand Patel Path, Patna
4. The State of Bihar through the District Magistrate, Muzaffarpur
5. The District Magistrate-cum-District Election Officer (Panchayat), Muzaffarpur, District-Muzaffarpur
6. The Sub-Divisional Officer, West Muzaffarpur, District-Muzaffarpur
7. The Returning Officer (Panchayat Election)-cum-Block Development Officer, Motipur, District-Muzaffarpur
8. The Panchayat Secretary, Gram Panchayat Raj, Mahmaddpur, Mahamadda, Block-Motipur, District-Muzaffarpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. S.B.K. Manglam, Advocate
Mr. Ravi Ranjan, Advocate
Ms. Anita Kumari, Advocate

For the Respondent/s : Mr. Prabhat Kumar Verma, AAG-5
Mr. Saroj Kumar Sharma, AC to AAG-5

For the State E.C. : Mr. Amit Shrivastava, Advocate
Mr. Sanjeev Nikesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 26-04-2016 Heard Mr. S.B.K. Manglam, learned counsel for the

petitioner and Mr. Amit Shrivastava, learned counsel for the State

Election Commission.

The petitioner apprehending a shifting of polling booth
situated in Ward No. 11 in the light of the letter dated 16.3.2016 of
the Block Development Officer as addressed to the Sub-Divisional
Officer, West Muzaffarpur filed the present writ petition.

Mr. Manglam, counsel for the petitioner has submitted

that the letter shows that the voters of Ward No. 11 are to be included with the voters of Ward Nos. 10 and 12. He has relied upon the guidelines of the State Election Commission which provide a location of booth in each ward.

This matter was heard on 21.4.2016 when counsel for the State and the State Election Commission were directed to inform this Court as regarding the grievance raised.

The matter is taken up today when Mr. P.K. Verma, learned AAG-5 and Mr. Sanjeev Nikesh, learned counsel for the Commission has produced a letter dated 25.4.2016 of the District Magistrate-cum-District Election Officer in which it is stated that there is no intention to shift the polling booth situated at Ward No. 11 which is numbered 26 and has 160 voters attached to the booth. It is thus submitted by learned counsel for the State and State Election Commission that the apprehension of the petitioner is misconceived and stands clarified by the letter of the District Magistrate, Muzaffarpur.

Let the letter dated 25.4.2016 of the District Magistrate-cum-District Election Officer be retained in the proceedings and in the light of the statements so made therein the writ petition stands disposed of.

(Jyoti Saran, J)

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