

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7893 of 2016

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Punyadeo Prasad, S/o Late Sheo Ratan Prasad, resident of village-Gahiri,
Block-Nautan, P.S. Nautan, District-West Champaran

.... Petitioner/s

Versus

1. The State Election Commission Bihar Patna through its Secretary, Sone Bhawan, Patna
2. The State Election Commissioner, Bihar, Patna
3. The District Magistrate-cum-District Election Officer (Panchayat), West Champaran at Bettiah
4. The Returning Officer-cum-Block Development Officer, Nautan Block, Nautan, District-West Champaran

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 10-05-2016 Heard Mr. Sanjeev Kumar, learned counsel appearing for the petitioner, counsel for the State and Mr. Sanjeev Nikesh for the State Election Commission.

Although the petitioner complains of non-inclusion of his name in the voter list of Gram Panchayat Gahiri, Nautan Block in the District of West Champaran and Mr. Sanjeev Kumar appearing on his behalf with reference to the receipt present at Anneuxre-1 submits that an application to such effect was filed on 11.1.2016 but the counter affidavit filed today reflects that the name of the petitioner appears in the Bettiah Assembly Constituency and accordingly also finds mention in the voter list of Gram Panchayat East Kargahiya under Bettiah block.

It is the stand of the Commission that without getting his name deleted from the Bettiah Assembly constituency that the application for inclusion at the new place has been filed by the petitioner and which cannot be acted upon till such time that his name continues at Bettiah Assembly Constituency since the present place at which the petitioner seeks inclusion falls under Nautan Assembly Constituency.

In view of the stand taken by the Commission in the counter affidavit no cause for indulgence is made out and the writ petition is accordingly disposed of.

The petitioner would be at liberty to proceed accordingly in the matter.

(Jyoti Saran, J)

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