

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7665 of 2016

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Yadunandan Yadav S/o Late Basudeo Yadav, resident of village-Anaila,
P.S. Roh, District-Nawada (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj
Department Bihar, Patna Bihar
2. State Election Commission Patna through Secretary, Bihar at Patna
3. The District Magistrate cum Election Officer, Nawada
4. The Block Development Officer cum Returning Officer, Roh

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate
For the Respondent/s : Mr. Sanjay Pandey, GP-1
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

2 29-04-2016 Heard Mr. Jitendra Kumar Pandey, learned counsel for

the petitioner, learned counsel for the State and learned counsel for

the State Election Commission.

Mr. Pandey, learned counsel appearing for the petitioner
has referred to a chart enclosed at Annexure-2/3 to submit that the
name of a large number of voters is present at two places in the
voter list while there are some others present who are dead and yet
others who are not eligible. Mr. Pandey has referred to a
representation filed on 19.2.2016, a copy of which is present at
Annexure-2 to submit that the attention of the authorities has been
invited.

The petitioner in sum and substance thus questions the veracity of the voter list which according to him suffers from a number of infirmities detailed at Annexure-2/3.

The draft voter list was published in January, 2016 and objections invited until 25.1.2016 as per the elections schedule. The petitioner took no steps. The representation stated to have been filed by the petitioner on 19.2.2016 gives no details. The details relied upon by Mr. Pandey to question the voter list is enclosed with a letter dated 05.3.2016. The election is fixed for 02.5.2016. In the circumstances discussed I can only say that the petitioner has woken from a deep slumber to point out the infirmities. No cause for indulgence at such belated stage can be made when the election is scheduled on 02.5.2016. In my opinion the aggrieved if so advised can take recourse to the remedy provided under the Bihar Panchayat Raj Act, 2006.

This writ petition is disposed of.

(Jyoti Saran, J)

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