

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5645 of 2017

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Dipu Kumar, Son of Sri Bindeshwar Prasad, resident of Saguna Nadi par, P.S. Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, State Election Commission, Bihar.
3. The District Magistrate-cum-District Election Officer (Nagarpalika), Patna.
4. Block Development Officer-cum-Revising Authority, Danapur, Patna.
5. The Sub-Divisional Officer, Danapur.
6. The State Election Commission (Nagarpalika), Bihar through the State Election Commission, Sone Bhawan, 3rd Floor, Birchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Mishra, Advocate
For the SEC	:	Mr. Amit Shrivastava and Mr. Girish Pandey, Advocates
For the State	:	Mr. Ajit Kumar Jha, A.C. to G.P. 2

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-04-2017

Heard learned counsel for the petitioner, State and State
Election Commission.

2. The petitioner is aggrieved by non-consideration of his two objections with regard to the error in the voters list where it is alleged that even dead persons have been shown as voter and besides that some persons names are at more than one place in the voter list and also with regard to voters of one Ward being shown as voters of another Ward as contained in his objections, copies of which are Annexure-1 series, in respect of Ward No. 16 of Danapur Nagar Parishad for the ensuing 2017 elections. The petitioner has



limited his prayer to such grievance. It is made clear that neither the petitioner has pressed nor the Court is directing for any consideration with regard to shifting of Wards.

3. The further grievance of the petitioner is that his application for correction in his name has resulted in his name being deleted, shall also be looked into for which he claims to have applied in time in the prescribed proforma, copy of which has been annexed as Annexure-3 series in the writ application.

4. Learned counsel for the petitioner submitted that in terms of publication of the final voter list he had filed objection, within time, before the respondents.

5. At this juncture, learned counsel for the State Election Commission submitted that the respondent no. 5 ,who is required to actually look into the objection and decide the matter, be directed to do the same within a time period fixed.

6. Learned counsel for the petitioner agreed to the proposal and submitted that the respondent no. 5 be also directed to hear the petitioner while considering the objection and to pass final order prior to the notification which is likely to be issued for the election soon.

7. In view thereof, the writ petition stands disposed off with direction to the respondent no. 5 to dispose off the objection



filed by the petitioner before him, after giving opportunity of hearing to the petitioner and final reasoned order shall be passed latest by 25.04.2017 positively. Thereafter, the order shall be forwarded, through the respondent no. 3, to the State Election Commission so that elections are held on the basis of voter list prepared in terms of the order to be passed.

8. To facilitate the matter, the petitioner shall appear before the respondent no. 5 along with a copy of this order on 19th April, 2017 at 11:00 a.m. in his office.

(Ahsanuddin Amanullah, J.)

P. Kumar

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