

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5771 of 2017

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Sudhir Kumar Thakur, Son of Late Biswanath Thakur, Resident of Village-
Rambagh, P.S.- Mithanpura, District- Muzaffarpur, Chairman, Runner Up
Candidate Association.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The State Election Commission, Bihar, Patna.
3. The Commissioner-cum-Secretary, State Election Commission, Bihar, Patna.
4. The District Election Officer-cum-District Magistrate, Muzaffarpur.
5. The Electoral Registration Officer-cum-Sub Divisional Officer, East, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Arvind Kumar and Mr. Rajesh Kumar, Advocates
For the SEC	:	Mr. Amit Shrivastava and Mr. Girish Pandey, Advocates
For the State	:	Mr. Sushant Praveer, A.C. to G.A. 7

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 19-04-2017

Heard Mr. Rama Kant Sharma, learned senior counsel assisted by Mr. Arvind Kumar, learned counsel for the petitioner, learned AC to GA-7 for the State and Mr. Amit Shrivastava, learned counsel assisted by Mr. Girish Pandey learned counsel for the State Election Commission.

2. The petitioner is aggrieved by non consideration of his objection relating to correction of the electoral roll of the Wards in Muzaffarpur Municipal Corporation which have now been finally published. Learned counsel submitted that initially after the



provisional voter list was published, he has objected but the objection does not seem to have been considered as the provisional list was reproduced as the final list. Learned counsel submitted that he has approached the State Election Commission on 30.03.2017/31.03.2017, with regard to his grievance but no action has been taken and he apprehends that his cause will be frustrated if elections are held in terms of the existing voter list.

3. At this stage, learned counsel for the State as well as the State Election Commission submitted that as the Court has been sending such matters to the concerned authorities responsible for considering the objections, this case can also be disposed off in similar terms.

4. In view thereof, the writ petition stands disposed off with a direction to the respondent no. 5 to consider the objection filed by the petitioner relating to there being error in the electoral roll. For such purpose, the petitioner shall appear before the respondent no. 5, along with a copy of this order on 21st April, 2017 at 11.00 A.M. in his Chamber. Thereafter, the respondent no. 5 shall look into the grievance and pass a reasoned order within three working days. He shall send the order to the State Election Commission through the respondent no. 4 within the next three working days. The State Election Commission, upon receipt of the said order shall pass



necessary orders, in accordance with law, immediately and the election to the Muzaffarpur Municipal Corporation shall be held in terms of the final order passed by the State Election Commission after the aforesaid exercise has been completed.

5. Learned counsel has produced photocopy of the abovereferrerd representation filed by the petitioner before the State Election Commission. The same is being handed over to Mr. Amit Shrivastava, learned counsel for the State Election Commission.

(Ahsanuddin Amanullah, J.)

P. Kumar

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