

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5372 of 2017

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Dharmendra Kumar Singh, aged about 50 years, Son of Sri Vidya Binod Prasad Singh, resident of C- 17, Vijay Nagar, Road No. 2, Hanuman Nagar, Kankarbagh, P.O.- Lohiya Nagar, P.S.- Patrakar Nagar, District- Patna, falling in Ward No. 45 of Patna Municipal Corporation area, Patna.

.... Petitioner/s

Versus

1. State Election Commission, Bihar through it's Secretary, Birchand Patel Marg, Patna.
2. The State of Bihar through District Magistrate, Patna.
3. The Sub-Divisional Officer-cum-Election Registration Officer, Patna Sadar, Election Department, Patna.
4. The Block Development Officer, Patna Sadar, Patna.
5. The Block Development Officer-cum-Revisional Authority Sampatchak Block, Patna.
6. The Circle Officer, Sampatchak, Block, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gajendra Pratap Singh, Advocate
For the SEC	:	Mr. Amit Shrivastava and Mr. Sanjeev Nikesh, Advocates
For the State	:	Mr. Asit Kumar Jha, A.C. to G.P. 2

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 11-04-2017

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

2. The petitioner has moved the Court for direction to the
respondent authorities to get the final voter list of Ward No. 44 of the
Patna Municipal Corporation verified and corrected.

3. Learned counsel for the petitioner submitted that he
had represented before the Sub Divisional Officer, Patna Sadar on the
last date for filing objection with regard to the voters at serial nos.



13387 to 15712, who were required to be the voters of Ward No. 44, but had been shown to be the voters of Ward No. 35. Learned counsel submitted that despite such objection being filed, the final voters list has not been corrected.

4. Learned counsel for the State Election Commission very fairly submitted that if the representation has been filed by the petitioner within time, the same shall be considered in accordance with law.

5. Learned counsel for the petitioner agrees to the proposition.

6. In view of the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 3 to dispose off the representation filed by the petitioner, copy of which has been made Annexure-3A to the writ petition, provided it is found that the same has been filed within the time specified for filing such objection. Further, the respondent no. 3 is not required to do a roving exercise and the same shall be limited to the consideration as to whether voters at serial nos. 13387 to 15712, who, according to learned counsel for the petitioner, were required to be in the voter list of Ward No. 44, have wrongly been shown as voters in Ward No. 35. The petitioner shall produce a copy of this order before the respondent no. 3, latest by 13th April, 2017. The respondent no. 3 shall thereafter



decide the issue latest within four working days and communicate the same to the State Election Commission so that the elections are held as per the decision taken by the State Election Commission relating to the voters list, in accordance with law and in terms of the order passed by the respondent no. 3, pursuant to the direction of this Court.

(Ahsanuddin Amanullah, J.)

P. Kumar

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