

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6075 of 2017

=====

Bijendra Kumar, Son of late Ram Lakshan Rai, Resident of Trimurti Nagar,
Sultanpur, 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. The 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

=====

Appearance :

For the Petitioner : Mr. Vivekanand Singh, Advocate
For the SEC : Mr. Amit Shrivastava, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 24-04-2017

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

2. The petitioner is aggrieved by non-consideration of his objection filed on 27.02.2017 with regard to the error in the voter list where it is alleged that voters of one Ward are shown as voters of another Ward, as contained in his objection, copy of which is Annexure-1, for Ward No. 20 of Danapur Nagar Parishad for the ensuing 2017 elections.



3. 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, but the same has not been considered.

4. At this juncture, learned counsel for the State and 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 fixed time period.

5. 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 expeditiously.

6. In view thereof, the writ petition stands disposed off with direction to the respondent no. 5 to dispose off the objection filed on 27.02.2017 by the petitioner before him, after giving opportunity of hearing to the petitioner and reasoned order shall be passed within two working days. Thereafter, the order shall be forwarded, through the respondent no. 3, to the State Election Commission within the next two working days so that elections are held on the basis of voter list prepared in terms of the order to be passed.

7. To facilitate the matter, the petitioner shall appear before the respondent no. 5 along with a copy of this order on 26th



April, 2017 at 11:00 a.m. in his office.

8. It is made clear that ongoing process, as per the notification issued/likely to be issued, shall continue uninterrupted, except for the fact that after the exercise directed by this order, if any modification is required in the voter list, the election shall be held as per the modified voter list. It is also made clear that the authorities are required to look into the objection strictly as contained in objection filed within time by the petitioner and only if the same is available on the records of the authorities.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	AFR
U	

