

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6091 of 2017

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Vyas Singh, Son of Late Yadu Nandan Rai, Resident of Mohalla- Kripal Tola, Ward No. 1, P.O. Gadho Chak, P.S. Fatuha, District- Patna, Presently Ward Councilor of Ward No. 1 of Nagar Panchayat, Fatuha (Now Nagar Parishad), District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Director, Municipality, Urban Development and Housing Department, Government of Bihar, Patna.
4. The State Election Commission (Municipality), Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
5. The State Election Commissioner, The State Election Commission (Municipality), Sone Bhawan, Birchand Patel Path, Patna.
6. The Secretary, The State Election Commission (Municipality), Sone Bhawan, Birchand Patel Path, Patna.
7. The Divisional Commissioner, Patna Division, Patna.
8. The District Election Officer (Municipality)-cum-District Magistrate, Patna, District - Patna.
9. The Sub-Divisional Officer, Patna City, District Patna.
10. The Block Development Officer, Fatuha, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. B. K. Mangalam, Advocate
For the State	:	Mr. Kinkar Kumar, S.C. 9
		Mr. Yogesh Kumar, A.C. to S.C. 9
For the SEC	:	Mr. Amit Shrivastava and
		Mr. Sanjeev Nikesh, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 21-06-2017

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

2. The petitioner has approached the Court being
aggrieved by non consideration of his objection dated 24.03.2017



filed before the respondent no. 9 with regard to delimitation of Wards/Constituencies relating to upgraded Fatuha Nagar Parishad.

3. Learned counsel for the petitioner submitted that though the objection was filed within time but there is no consideration as the petitioner has neither been called upon nor noticed to explain and show that his objection is genuine.

4. Learned counsel for the State Election Commission, at the very outset, submitted that the matter be remanded to the State Election Commission for consideration of the objection and appropriate action in accordance with law.

5. Learned counsel for the State does not object.

6. In view thereof, the writ petition stands disposed off with a direction to the State Election Commission to consider the objection filed by the petitioner before the respondent no. 9 dated 24.03.2017, copy of which has already been received by the State Election Commission on 24.03.2017, as would be evident from the receiving reflected from Annexure P-4 to the writ application.

7. The State Election Commission would ensure that the said objection is considered in accordance with law after giving opportunity of hearing to the petitioner expeditiously and thereafter only the final delimitation of constituency shall be notified and election held.



8. To expedite the matter, let the petitioner appear before the State Election Commission along with a copy of this order by day after tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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