

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 5849 of 2017

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1. Chitranjan Prasad Singh, Son of Late Ram Nagina Singh, resident of Mohalla- Lavkush Nagar, R.N. Singh Road, P.S.- Rupaspur, District- Patna.
 2. Rajesh Sharma, Son of Late Biswanath Sharma, resident of Mohalla- Ramjaipal Nagar, Gola Road, P.S.- Rupaspur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. State Election Commission, Bihar, through its Secretary, Sone Bhawan, Patna.
3. State Election Commission, Sone Bhawan, Patna.
4. Principal Secretary, Urban Development Department, Government of Bihar, Patna.
5. District Magistrate, Patna, District- Patna.
6. S.D.O., Danapur, District- Patna.
7. Executive Officer, Danapur Nagar Panchayat, Danapur, Patna.
8. B.D.O. Danapur, District- Patna.
9. Patna, Municipal Commissioner, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate
For the SEC	:	Mr. Amit Shrivastava and Mr. Ritesh Kumar, Advocates
For the State	:	Mr. S. P. Singh, G.A. 3
For the Nagar Parishad :	:	Mr. Ajatshatru, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 26-04-2017

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

2. The petitioners are aggrieved by non inclusion of
his and other 204 persons in the voter list for Ward No. 37 of
Danapur Nijamat Nagar Parishad.

3. Learned counsel for the petitioners submitted that
pursuant to publication of the final voter list they 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. 6, 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 petitioners agreed to the proposal and submitted that the respondent no. 6 be also directed to hear the petitioners 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. 6 to dispose off the objection filed on 27.02.2017 by the petitioners before him, after giving opportunity of hearing to the petitioners and reasoned order shall be passed within two working days. Thereafter, the order shall be forwarded, through the respondent no. 4, to the State Election Commission within the next two working days and the State Election Commission in turn shall pass appropriate orders immediately 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 petitioners shall appear before the respondent no. 6 along with a copy of this order on 28th 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 petitioners and only if the same is available on the records of the authorities.

(Ahsanuddin Amanullah, J.)

P. Kumar

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