

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6062 of 2017

=====

Shyam Babu Yadav, Son of Late Mitlal Yadav, Resident of Mohalla- South
Mandiri, P.S.- Buddha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State Election Commission through its Secretary, Sone Bhawan, Veerchand Patel Marg, Patna.
2. The Joint Election Commissioner Sone Bhawan, Veerchand Patel Marg, Patna.
3. The State of Bihar through its Principal Secretary, Urban and Housing Development Department, Government of Bihar, Patna.
4. The District Magistrate Officer-cum-District Election Officer, Nagar Palika, Patna.
5. The Sub-Divisional Officer-cum-Electoral Registration Officer, Nagar Palika, Patna Sadar, Patna.
6. The Block Development Officer-cum-Assistant Revising Authority, Patna Sadar, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Rajiv Roy, GP 1 with Mr. Suresh Kumar, AC to GP 1
For the SEC	:	Mr. Amit Shrivastava with Mr. Girish Pandey, Advocates

=====

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 objection with regard to inclusion of many persons in the voter
list for Ward No. 26 of Patna Municipal Corporation 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 State Election Commission had directed the respondent no. 4 to take action in accordance with law on the complaint of the petitioner under letter no. 1718 dated 20.04.2017 and 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 a direction to the respondent no. 5 to dispose off the objection filed by the petitioner before him, after giving opportunity of hearing to the petitioner and a 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 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	

