

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3759 of 2019**

Raju Raj Tamrakar S/o. Late Gopal Prasad Tamrakar Aged About 48 Years Resident Of Ward No. 2, Naila- Bhatapara, P.S. Janjgir, District Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administrative Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Collector-Cum-Election Officer Janjgir-Champa District Janjgir-Champa, Chhattisgarh
3. Registration Officer-Cum-Deputy District Election Officer Janjgir-Champa District-Janjgir-Champa, Chhattisgarh
4. Chief Municipal Officer Nagar Palika Parisad Janjgir Naila District Janjgir-Champa, Chhattisgarh
5. State Election Commission Through The Secretary, Near Dks Bhawan, Old Mantralaya Road, Moti Bag Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sumit Singh, Advocate
For State	:	Mr. Ashutosh Mishra, PL
For Respondent/s	:	Mr. R. S. Marhas, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21/10/2019**

1. The limited relief that the petitioner has sought for in the present writ petition is for an appropriate direction to the respondents to consider the objection that petitioner has filed in respect of the shifting of the names of the petitioner from one Ward to another Ward.
2. At the outset, this Court does not find any merits in the writ petition for the reason that Annexure P-1 dated 29.08.2019 shows that respondent No.3 Registration Officer had issued a notice whereby the objections were

called to be submitted in a prescribed format between 06.09.2019 to 3:00 PM of 16.09.2019 in respect of deletion and inclusion of the names of the voters in the particular Ward.

3. From the perusal of the pleadings attached to the writ petition, it appears that petitioner never filed any objection or representation to the authorities concerned in the prescribed format within the time limit prescribed. The petitioner seems to have filed his objection in a group for the first time on 17.09.2019 that is after the time limit which was prescribed got over. It is this objection/representation which the petitioner wants to be decided by the respondent No.3 as per the Annexure P-1 dated 29.08.2019. Prima facie, this Court does not find any merits on the claim of the petitioner for the reason that petitioner had not availed the remedy of filing objection within the prescribed period as was noticed by the respondent No.3 vide his notice dated 29.08.2019. However, from the perusal of the record, it appears that there was only a delay of one day on the part of the petitioner in filing objection/representation.
4. Given the said facts, respondent No.3 is expected to consider and decide the said objection in accordance with the guidelines framed by the State Government in this regard at the earliest preferably within a period of 10 days from the date of receipt of copy of this order.
5. It is made clear that this order is confined so far as the objection filed by the petitioner on 17.09.2019 is concerned or in case if there are any other objections that were filed on 17.09.2019. It would not be applicable in any of those objections/representations that are filed beyond 17.09.2019.
6. With the aforesaid observations, the writ petition stands partly allowed and disposed of

Sd/-
(P. Sam Koshy)
Judge