

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4365 of 2019**

Harbansh Singh S/o Late Shri Ranjeet Singh Aged About 49 Years
R/o Station Road Tomar Gali, Ward - 13, Mahasamund District
Mahasamund Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development, Government Of Chhattisgarh, Mahanadi Bhawan, Mantralaya, Nawa Raipur Atal Nagar, District Raipur Chhattisgarh.
2. The Director Urban Administration And Development Department Indrawati Bhawan , Mantralaya Nawa Raipur Atal Nagar District Raipur Chhattisgarh.
3. The Chhattisgarh Election Commission Through The Chief Election Commissioner Chhattisgarh Election Commission, Near DKS Bhawan Raipur Chhattisgarh.
4. The Collector Mahasamund Collectorate Building Mahasamund District Mahasamund Chhattisgarh.
5. The Election Registration Officer Sub Divisional Officer (R) Collectorate Building Mahasamund Chhattisgarh.
6. The Municipal Council Mahasamund Through The Chief Executive Officer, Municipal Council Mahasamund, District Mahasamund Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Vipin Tiwari, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/12/2019**

1. The writ petition has been filed seeking for the following reliefs:

“10.1] That, the Hon'ble Court may kindly be pleased to issue writ of mandamus commanding upon the respondent No.4 and direct him to correct/rectify the mistakes done in delimitation of ward of Municipal Council, Mahasamund before the coming Municipal Election and do fresh reservation of wards on the basis of corrections, in the interest of justice.

10.2] That, the Hon'ble Court may kindly be pleased to direct the respondent No.4 to conduct the coming Municipal Elections on the basis of delimitation done in the year 2014 and resolve all the objections made by the petitioner, in the interest of justice.”

2. The contention of the petitioner is that the petitioner is a resident of Ward No.13 and he intends to contest the local election from Ward No.20 for the reason that Ward No.13 stands reserved for women category.
3. The grievance of the petitioner is that the respondents in the course of publication of the voter list have not taken into consideration the population of the voters and total number of persons belonging to each of the communities i.e. ST, SC, OBC, etc. He further contended that there are many instances, where the total number of voters exceeds the total population of each of the Wards.
4. On perusal of the record, it appears that the petitioner at the first instance on the publication of the preliminary notification dated 25.06.2019 has submitted a detailed objection vide Annexure P/7 duly signed by the petitioner, who is the ward member of Ward No.13 along with the ward member of Ward No.20. It is further revealed that the respondents have subsequently duly considered the objection of the petitioner as raised in his objection/representation vide Annexure P/7 and that contentions/objections were duly considered vide Annexure P/9.
5. Bare perusal of Annexure P/9 would show that the respondent authorities have also dealt with the issue, so far as the complaints, which the petitioner has raised and the respondents have accepted the contentions raised and have also ordered for necessary amendments to be carried out.
6. Given the said facts and circumstances of the case and as the respondents have considered and decided the objections. The

grievance of the petitioner seems to have been redressed. However, so far as the subsequent development, there are no cogent material enclosed along with the writ petition for substantiating the contentions that the petitioner has raised while challenging the same. In the absence of any strong grounds this Court would find it difficult for entertaining the writ petition.

7. The writ petition accordingly stands rejected holding it to be devoid of merit.

Sd/-
(P. Sam Koshy)
Judge

Ved