

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7855 of 2020

Bihar Pradesh Bhrastachar Unmulan Samiti Ram Dulari Apartment- 406,
Gola Road, Machhli Talab, Patna through its President Sri Dinesh Kumar
Singh, Male, 47 years son of late Chandrika Prasad Singh, resident of village
Tenduni Manbodh Nagar, Police Station Bikramganj, District Rohtas.

... .. Petitioner/s

Versus

1. The Election Commission of India Nirvachan Sadan, Ashoka Road, New Delhi 110001
2. The Principal Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi 110001
3. The Chief Electoral Officer, Bihar, Patna.
4. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
5. The Principal Secretary, Finance Department, Government of Bihar, Patna.
6. The District Magistrate-cum- District Election Officer, Patna
7. The District Magistrate-cum- District Election Officer, Araria.
8. The District Magistrate-cum- District Election Officer, Arwal.
9. The District Magistrate-cum- District Election Officer, Aurangabad.
10. The District Magistrate-cum- District Election Officer, Banka.
11. The District Magistrate-cum- District Election Officer, Begusarai.
12. The District Magistrate-cum- District Election Officer, Bhagalpur.
13. The District Magistrate-cum- District Election Officer, Bhojpur.
14. The District Magistrate-cum- District Election Officer, Buxar.
15. The District Magistrate-cum- District Election Officer, Darbhanga.
16. The District Magistrate-cum- District Election Officer, East Champaran.
17. The District Magistrate-cum- District Election Officer, Gaya.
18. The District Magistrate-cum- District Election Officer, Gopalganj.
19. The District Magistrate-cum- District Election Officer, Jamui.
20. The District Magistrate-cum- District Election Officer, Jehanabad.
21. The District Magistrate-cum- District Election Officer, Kaimur (Bhabhua).
22. The District Magistrate-cum- District Election Officer, Katihar.
23. The District Magistrate-cum- District Election Officer, Khagaria.
24. The District Magistrate-cum- District Election Officer, Kisanganj.
25. The District Magistrate-cum- District Election Officer, Lakhisarai.
26. The District Magistrate-cum- District Election Officer, Madhepura.
27. The District Magistrate-cum- District Election Officer, Madhubani.
28. The District Magistrate-cum- District Election Officer, Munger.
29. The District Magistrate-cum- District Election Officer, Muzaffarpur.



30. The District Magistrate-cum- District Election Officer, Nalanda.
 31. The District Magistrate-cum- District Election Officer, Nawada.
 32. The District Magistrate-cum- District Election Officer, Purnea.
 33. The District Magistrate-cum- District Election Officer, Rohtas.
 34. The District Magistrate-cum- District Election Officer, Saharsa.
 35. The District Magistrate-cum- District Election Officer, Samastipur.
 36. The District Magistrate-cum- District Election Officer, Saran.
 37. The District Magistrate-cum- District Election Officer, Sheikhpura.
 38. The District Magistrate-cum- District Election Officer, Sheohar.
 39. The District Magistrate-cum- District Election Officer, Sitamarhi.
 40. The District Magistrate-cum- District Election Officer, Siwan.
 41. The District Magistrate-cum- District Election Officer, Supaul.
 42. The District Magistrate-cum- District Election Officer, Vaishali.
 43. The District Magistrate-cum- District Election Officer, West Champaran.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar Sinha 2 Mr.Uttam Kumar Mishra Mr.Sunil Kumar Mr.Divya Jyoti, Advocates
For the Respondent/s	:	Mr.Ashutosh Ranjan Pandey, AAG 15
For Election Commission:	:	Mr.Siddharth Prasad, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 25-09-2020 Petitioner has prayed for the following relief(s):

“To direct the respondents that in obedience to Election Commission of India Circular No.437/6/1/INST/ECI/FUNCT/MCC/2020 dated 30.06.2020 and to ensure free and fair existing Assembly Election 2020 transfer the District Treasury Officers who holds the charge and shall hold the charge, as earlier, as Nodal Officer of the Strong Room, at Counting Cell at Postal Ballot Paper Cell of respective district during Assembly Election 2020 and they are posted in their



particulars districts of Bihar for more than 05 to 13 years and/or be further please to grant such other relief or reliefs to which the petitioner is found entitled for.”

Shri Ashutosh Ranjan Pandey, learned Additional Advocate General No. 15 states that vide communication dated 24.09.2020 (Annexure-B) the Government has already clarified that the Treasury Officers posted in the respective districts are not to be assigned any work connected with the conduct of elections. This is towards the letter and spirit of the communication dated 30th of June, 2020 issued by the Election Commission of India.

Statement accepted and taken on record.

At this stage, learned counsel for the petitioner states that the petitioner be permitted to approach the Chief Electoral Officer, Bihar, Patna for venting out grievances, if any with regard to the surviving issues, if any.

Liberty granted.

Petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

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