

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9872 of 2020

Shivji Patel, Son of Harihar Singh, Resident of Village - Lodipur, P.S. Goraul,
District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Govt. of Bihar.
2. The State Election Commission through Chief Electoral Officer, Bihar, Patna.
3. The District Election Officer-cum-District Magistrate, Vaishali at Hajipur.
4. The Block Election Officer -cum- Block Development Officer, Goraul Block, Vaishali.
5. The Booth Level Officer, Lodipur Panchayat, Goraul, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate
For the Respondent/s : Mr. P.K. Verma, AAG-3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-01-2021

Petitioner has prayed for the following relief(s):-

“1(i). For shifting of polling booth No. 238 from polling station situated at Atakarmit Madhya Vidyalaya, Lodipur to Nav Sirjit Vidyala Kurmi Tola, Lodipur, though two polling booths 238 & 239 are at one polling station situated at Lodipur without any cogent reasons, while elector had to travel about 2.5 Kilometer for casting their vote despite they having nearest School for polling booths.

(ii) For any other reliefs for which the petitioner is found entitle in the fact



and circumstances of the case and for the sake of justice.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondent(s) to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner within a period of four weeks, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of eight weeks from the date of its filing along with a copy of this order.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the



Court, if the need so rises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits. All issues are left open.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(Rajeev Ranjan Prasad, J)

Amrendra/P.K.P.

AFR/NAFR	
CAV DATE	
Uploading Date	05.01.2021
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