

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3107 of 2021

Chandan Kumar Sahni Son of Ganga Sahni, Resident of Village - Chaki
Sohagpur within Chaki Sohagpur Gram Panchayati Raj, P.O. - Fatehpur,
Police Station and Block - Paru, District -Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through The Election Commission, Bihar, Patna.
2. The Election Commission Bihar, Patna.
3. The District Magistrate-Cum-Chief Election Officer, Muzaffarpur.
4. Election Officer-Cum-District Land Acquisition Officer, Muzaffarpur.
5. The District Land Reform Officer, Muzaffarpur-Cum-Election Registrar,
Muzaffarpur.
6. The Sub Divisional Officer, East Muzaffarpur.
7. Block Development Officer, Paru Block -Cum-Election Officer, Paru,
Muzaffarpur.
8. District Panchayati Raj Officer, Muzaffarpur.
9. B.L.O.-cum-Anganbari Sevika, Booth No. 298 Chakki Sohagpur Block
Paru, Muzaffarpur.
10. B.L.O.-cum-Vikash Mitra Booth No. 299, Chakki Sohagpur Block Paru,
Muzaffarpur.

... .. Respondent/s

Appearance :

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

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 29-06-2021

Heard learned counsel for the parties.

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

“That this writ application is being filed by way of a public
Interest Litigation for general cause for issuance of a



writ/writs, order/orders, direction/directions, command/commands and/or for issuance of a writ in the nature of Mandamus directing the respondents authority specially 2, 3, 4 and 5 for connection in the voter list of Chaki Sohagpur which is within the Chakki Sohagpur Gram Panchayat and part of Sahebganj Assembly area and Paru Bidhan Sabha area where in electoral roll of Chak Sohagpur village within Sahebganj Assembly Area at Booth No. 282, 284, 287, 293, 300, 301, 302, 303 none resident persons of this area interred the name as voter for creating Bogus vote for ill full gain to their candidates as well as deleting the names of some voter from the Electoral roll whose name doubly printed in the electoral roll and petitioner further prays for a specific direction to the Respondents Authority to prepare a genuine voter list in light of section 126 of Bihar Gram Panchayat Raj Adhiniam 2006 as well as rule 19 of Bihar Panchayat Election Rules 2006 and published voter list in light of Rule 22 of Bihar Panchayat election Rules, 2006.

And petitioner further prays for grant of any other relief/s for which the petitioner is entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

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



Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and



subsequent cause of action;

(g) We have not expressed any opinion on merits.

All issues are left open;

(h) 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, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

