

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5710 of 2022

Ranjeet Dash

....

Petitioner(s)

Mr.S.Mohanty, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.S.Ghose, ASC

Mr.B.Routray, Sr. Advocate

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

03.03.2022

Order No.

1.

1. Heard learned counsel appearing for the parties.

2. Petitioner has the grievance involving final voter list dated 26.02.2022 published by the Election Officer, Nayagarh Municipality. There remains no dispute at the Bar that for the clear notification vide Annexure-3 series, objection, if any, in the matter of illegal insertion of name in the voter list, as required under Rule 9 (2) was required to be submitted in Form No.IV in between 11.02.2022 to 16.02.2022. The case involves, petitioner admittedly submitted objection under Form-IV on 22.02.2022 . For there is submission of such objection much beyond the date stipulated in the notification under Annexure-3 series and in the meantime for the submission of final voter list to the Election Commissioner on 25.02.2022 and as a notification for election has already come into play, this Court finds the writ petition of this nature is clearly barred. This Court here also takes into account the decision of the Hon'ble Apex Court in the case of ***N.P.Ponnuswami –Vrs.- Returning Officer, Namakkal Constituency, Namakkal, Salem Dist. & four Ors.***, reported in *AIR 1952 SC 64*, restricting scope for exercise

under Article 226 of the Constitution of India. Petitioner if has any other alternate mode, it is open to avail such remedy.

3. The writ petition thus stands dismissed.

(Biswanath Rath)

Judge

Sks

