

IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) NO.19529 OF 2022

Rajendra Prasad Behera

....

Petitioner

Mr.S.K.Dwibedi, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.P.Panda,AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
17.10.2022

Order No.

3. 1. Heard learned counsel for the Parties.
2. Looking to the question involved, if the Election Officer needs to be a Party in an election dispute, for the opinion of this Court, the Election Officer here may not be a necessary Party but his presence will rather facilitate both the contestants in achieving number of things, such as ensuring production of record, ensuring evidence of material witnesses, cross-examination etc. In the circumstance, the presence of the Election Officer though may not be treated as a contestant but be treated as a proforma O.P./defendant. In this view of the matter, this Court finds, rejection of any such application by the trial court does not need interference.
3. The Writ Petition thus stands dismissed, as not entertainable.

(Biswanath Rath)
Judge

M.K.Rout