

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25143 of 2022

Manamohan Tripathy **Petitioner**
Mr. Sanjib Mohanty, Advocate
-versus-
State of Odisha and others **Opp. Parties**
Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
07.12.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to dispose of the representation dated 26th June, 2022 under Annexure-6 filed by him along with others before the Registrar, Co-operative Societies, Odisha, Bhubaneswar.
3. Mr. Mohanty, learned counsel for the Petitioner submits that the name of the Petitioner along with others were illegally struck off from the voter list by the Election Officer for which he made an objection before him. However, without paying any heed to the same, the Election Officer proceeded with the election. Finding no other alternative, the Petitioner along with others made a representation before the Registrar, Co-operative Societies, Odisha, Bhubaneswar on 26th June, 2022 to correct the voter list, which is pending. Hence, he prays for a direction for early disposal of the representation of the Petitioner under Annexure-6.

4. Considering the submission made by learned counsel for the Petitioner, this Court vide order dated 21st November, 2022 directed learned State Counsel to take instruction in the matter. Mr. Mishra, learned Additional Standing Counsel, on instruction, submits that assailing the correctness of the voter list prepared in respect of Narada Primary Agricultural Co-operative Society Ltd., the Petitioner made an application against deletion of his name along with others from the voter list before the Election Officer. Being aggrieved by the decision of the Election Officer, they have filed Election Dispute Case No.120 of 2022, which is pending before Co-operative Tribunal, Odisha, Bhubaneswar. Thus, the Petitioner has suppressed the material fact in the writ petition. Hence, the writ petition is not maintainable.

5. Taking into consideration the fact that assailing the correctness of the voter list, an election dispute is pending before learned Co-operative Tribunal, Odisha, Bhubaneswar, I am not inclined to entertain the writ petition.

6. Accordingly, this writ petition being devoid of any merit stands dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks