

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14394 of 2022

Lakhindra Ram Son of Late Kailash Ram Resident of Mohalla- Shanti Nagar,
Saheb Ganj Road, Chakia, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Deputy Secretary, Government of Bihar, Town Development and Home Department (Nagar Vikas and Awas Bibhag), Bihar, Patna.
2. The Secretary, State Election Commission, Bihar, Patna.
3. The District Collector, East Champaran at Motihari.
4. The Election Officer Cum District Collector, East Champaran at Motihari.
5. The Election Officer, Nagar Parishad, Chakia Cum Sub- Divisional Officer, Chakia, East Champaran.
6. The Sub- Divisional Officer, Chakia, East Champaran.
7. The Executive Officer, Nagar Parishad, Chakia Cum Block Development Officer, Chakia, East Champaran.
8. The Block Development Officer, Chakia, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Advocate
For the Respondent/s	:	Mr. Abbas Haider (SC-6)
For the State	:	Mr. Syed Hussain Majeed, Advocate
For State Election Commission	:	Mr. Sanjeev Nikesh, Advocate
		Mr. Girish Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2023 Heard Mr. Vijay Shankar Shrivastava, learned
counsel for the petitioner as also Mr. Syed Hussain Majeed,
learned AC to SC-6 and Mr. Sanjeev Nikesh who represent the
Election Commission, Bihar.

The petitioner has moved this Court for the following
reliefs:

(i) for issuance of a writ in



the nature of certiorari quashing the Voter List of Ward No 15 & 16 of Nagar Parishad Chakia East Champaran Published on 30-07-2022 for the Purpose of Election of Nagar Parishad Chakia to be held on 10-10-2022 as contained in annexure-2 & 3 to this writ Petition, which is prepared on the basis of wrong Population of Ward No 15 & 16 Published on the basis of census conducted in the year 2011 for the purpose of Election of Chakia Nagar Parishad as contained in annexure-1 to this writ petition;

(ii) for issuance of a writ in the nature of Mandamus commanding and directing to the respondents to Published a fresh Voter list of Ward No 15 & 16 of Chakia Nagar Parishad, East Champaran on the basis of actual Population of Ward No 15 & 16 of Chakia Nagar Parishad,



East Champaran;

(iii) for issuance of a writ in the nature of Mandamus commanding and directing to the respondents to not conduct the Election of Ward No 15 and 16 of Chakia Nagar Parishad, East Champaran to be held on 10-10-2022, on the basis of Voter list as contained in annexure-2 & 3 to this writ petition.

Learned counsel for the petitioner fairly submits that the election having been over, the only fear he has that this modus operandi will continue and as such the local authority has to give a re-look to the entire case.

Learned State Counsel as also learned counsel appearing for the Election Commission have no objection and they submit that if the petitioner feels that there is any anomaly, he can make a request to the concerned authority in this case i.e. the District Collector, East Champaran, Motihari.

In that view of the matter, the writ petitioner is directed to file a proper representation alongwith his grievances before the respondent no. 3, the District Collector, East



Champaran, Motihari who shall look into the matter and get an enquiry done and thereafter, come to a conclusion which shall be communicated to the petitioner.

If the petitioner prefers such representation before respondent no. 3 within four weeks from today, the concerned respondent shall take decision within next three months.

The writ petition stands disposed of with the aforesaid observations.

(Rajiv Roy, J)

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