

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8088 of 2024

Seemanti Saha wife of Sri Rajarshi Bhattacharya, C/O Indrajit Bhattacharya, resident of Abirbhab Co -OP Hsg.. CE/C/121, Street -206, Action Area-1 Police Station - New Town, District - North 24, Parganas (West Bengal), presently residing at Flat No.703, Type-IV quarter, campus of National Institute of Technology, Ashok Rajpath, P.O. Mahendru, P.S. Sultanganj, District - Patna, presently working as Assistant Professor, Department of, National Institute of Technology, Patna.

... .. Petitioner/s

Versus

1. Election Commission of India through the Chief Election Officer, Nirvachan Bhawan, Ashoka Road, New Delhi.
2. The Chief Election Commissioner, Election Commission of India, Nirvachan Bhawan, Ashoka Road, New Delhi.
3. The Chief Electoral Officer, Bihar, Patna.
4. The District Election Officer-cum-District Magistrate Patna, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Awnish Kumar, Adv. Mr. Vivek Kumar, Adv.
For the ECI	:	Mr.Siddhartha Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent no.4 for exemption of the petitioner from election duties in General Parliamentary Election, 2024 notified to be held in the District of Patna on 01.06.2024 in view of the difficulties shown by the petitioner in her representation dated 16.04.2024 addressed to the Respondent no.4.



(ii). For a declaration that if there is scope of exemption from election duties on consideration of particular hardship of a government servant, if hardship shown by the petitioner is unavoidable considering the age of her son and her mother suffering from terminal disease, the Respondent no.4 was obliged to consider the hardship shown by the petitioner for her exemption from election duties of 2024 Parliamentary Election and silence of the Respondent No. 4 on the representation of the petitioner is totally illegal and unwarranted.”

2. At the outset, the learned counsel appearing for the Respondents, Sri Siddhartha Prasad, on instructions, submits that the petitioner has already been exempted from election duty, hence, nothing survives for consideration in the present case.

3. The learned counsel for the petitioner submits that if that be the case, the present writ petition be disposed off.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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