

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18364 of 2024

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Shivendra Kumar Singh S/o-Ramvilash Singh, resident of Village-
Shakarwara, Po-Shakarwara Sabik, PS- Gayghat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration,
Government of Bihar, Patna, Bihar.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur, Bihar.
3. The Collector/District Magistrate cum District Election Officer,
Muzaffarpur.
4. The Block Development Officer cum Block Election Officer Gayghat,
Muzaffarpur, Bihar.
5. The Chief Election Commission, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yatindra Narayan, Advocate
For the Respondent/s : Mr. P.K Shahi, Advocate Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 06-12-2024

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner, who describes himself as a
conscious voter of booth no.90 under the Muzaffarpur



Parliamentary Constituency has filed the instant application by way of a Public Interest Litigation praying for direction to the respondents to shift the polling booth no.90 of Gayghat (Muzaffarpur) Constituency from Primary School Kothiyatol (Thana no.251) to Primary School Sakarwara Sabik (Thana no.252) as according to the petitioner, the voters of the said booth are facing problem in casting their votes.

3. As per the petitioner's case, inspite of representation having been filed by the voters of booth no.90 before the District Magistrate, Muzaffarpur for shifting the booth, no steps have been taken by the authorities and hence the instant application.

4. Having heard learned counsel for the parties and having perused the material on record, this Court finds that the matter in issue relates to conduct of election, which is conducted by the Election Commission of India. Booth etc with their respective voters list are determined by the Election Commission at the appropriate time before the elections.

5. It is for the petitioner to approach the Election Commission at the proper time, as directed by the Commission. Filing of this application in the nature of a Public Interest Litigation when neither any elections have been announced nor



the booth of the petitioner determined, in the opinion of the Court, the application is not only premature but misconceived and the Court finds no merit in the same.

6. The application is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.12.2024.
Transmission Date	

