



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.6174 OF 2024

Vijay s/o Pandurang Ghodmare, Ta. Hingna, Dist. Nagpur

-VS-

The District Election Officer and Collector, Nagpur district and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri Pavan Dahat, Advocate with Ms Nishigandha Borkar, Advocate for petitioners.
Shri D. V. Chauhan, Senior Advocate/Government Pleader with Shri N. S. Rao,
Assistant Government Pleader for respondent Nos.1, 2 and 4 to 6.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : October 15, 2024

1. Drawing support from Clause 2.5.2 which reads thus :

“2.5.2. The Election Commission insists that polling stations should, as far as practicable, be permanently located so that the electors always know where they have to go for casting their votes for all elections and they are not confused by any frequent changes in the location of their polling stations.”, the learned counsel for the petitioners would urge that the Polling Stations which are notified for the ensuing Legislative Assembly elections, from Sr. Nos.260 to 266 should be discarded or removed from the list as they are not qualifying aforesaid criteria.

A representation to the aforesaid fact moved, came to be rejected by communication dated 30/09/2024.

It is urged that the Polling Stations are managed by politically influenced persons and that being so, it is necessary to de-notify the said Polling Stations.

2. The learned Government Pleader Shri D. V. Chauhan would draw support from communication dated 30/09/2024 so as to claim that the action of respondent-Authority is in tune with the language employed in Clause 2.5.2 of the Manual on Polling Stations issued by

the Election Commission of India.

3. We have considered the rival submissions.

At the outset, we must note that communication dated 30/09/2024 has not been questioned in the present petition. Apart from above, it is for the respondent No.1 to record satisfaction in tune with Clause 2.5.2 referred above as the decision of respondent No.2 appears to be having regard to the ground and field realities.

4. Though the claim is made that these Polling Stations are the institutions owned and managed by political personalities, however we hardly see any iota of evidence or that such persons are impleaded as party respondents to the petition.

It is further brought to our notice that these Polling Stations are being notified for last more than 25 years without there being any untoward incident report.

5. As such, no interference in extra ordinary writ jurisdiction is called for. The petition accordingly fails, stands dismissed. No costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)