

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 2199 of 2025 (M/S)

Mr. Suresh ChandraPetitioner

Versus

State of Uttarakhand and othersRespondents

Present:-

Mr. Deepak Petshali, Advocate for the petitioner.

Mr. M.S. Bisht, Brief Holder for the State.

Mr. Sanjay Bhatt, Advocate for the respondent no. 2.

Hon'ble Ravindra Maithani, J. (Oral)

It is the case of the petitioner that he is a resident of village Dhyannagar, which falls within Gram Panchayat Narainpur. The distance between the two places is about two kilometres. The population of Dhyannagar is 1178, whereas the population of Narainpur is 817. Earlier for every elections, there were two polling booths established in Dhyannagar but this time polling booth is not established in Dhyannagar, instead three polling booths have been established in Narainpur, which may cause great hardship to the voters.

2. Heard learned counsel for the parties and perused the record.

3. Learned counsel for the petitioner submits that the petitioner had made a representation to the authorities on 08.07.2025, but no action has been taken.

4. The matter was taken up on 23.07.2025, when the Court requested the learned counsel for the State Election Commission/respondent no. 2 ("the Commission") to get instructions.

5. Today, a written instruction has been tendered for perusal of the Court. They be taken on record.

6. According to the instruction, there should have been two polling booths in village Dhyannagar, but due to error in the data entry, they were deleted and all the polling booths have been established in Narainpur. According to instructions, now the election is imminent, therefore, to correct the data, permission has to be sought from the State Election Commission and in this process, there may be delay. Learned counsel for the Commission submits that it may be a little difficult to rectify the error.

7. The instructions cannot be said to be satisfactory. In fact, the Court had sought instruction from the Commission, not from the Sub Divisional Officer, Jaspur, who has forwarded the instructions writing therein that it may take a little time to seek instruction from the Commission. Error has been admitted by the respondent authorities that there should have been two polling booths in village Dhyannagar, but due to error in typing, they were deleted and three polling booths have been established in village Narainpur, where the population is 817. It is the case that the population of village Dhyannagar is 1178.

8. At the cost of repetition, it may be stated that according to the petitioner in all the earlier elections, there were two polling booths established in village Dhyannagar. It is an admitted case that there has been an error in data entry and as per the instruction, the error may not be rectified because it may take a little time to rectify it.

9. This Court refrains to pass an order for establishment of polling booth at village Dhyannagar, but this Court may request the State Election Commissioner, Uttarakhand, Dehradun to look into the matter, and accordingly decide the writ petition with some direction.

10. The writ petition is disposed of with the following direction:-

The State Election Commissioner is requested to look into the matter and, if in any manner it is possible, rectify the mistake at the earliest so that there may be polling booth(s) in village Dhyannagar.

11. The Court requests the learned counsel for the State Election Commission to communicate this order to the State Election Commissioner immediately.

12. Let a certified copy of this order be issued today itself as per rules.

(Ravindra Maithani, J)
24.07.2025

Avneet/