
(2022) 02 MP CK 0063
In the Madhya Pradesh High Court
Case No : Writ Petition No. 2814 Of 2020

Asutosh Purohit

APPELLANT

Vs

Indian Red Cross Society M.P. State Branch And Others Vs

RESPONDENT

Date of Decision : 08-02-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 144

Citation : (2022) 02 MP CK 0063

Hon'ble Judges : Vivek Rusia, J

Bench : Single Bench

Advocate : Devendra Kumar Tripathi

Final Decision : Dismissed

Judgement

Vivek Rusia, J

Petitioner being a member of the Indian Red Cross Society, Branch Khargone has filed the present petition being aggrieved by the notice dated

13.1.2022 whereby the election of the Red Cross Society has been postponed due to increase in the number of patients of Covid-19/Omicron and

implimentation of section 144 Cr.P.C.

The grievance of the petitioner is that the aforesaid step has been taken on the basis of the letter written by Member of Parliament. It is submitted that

now the election has been rescheduled on 10.2.2022 with the changed voter list. It is submitted that once the voter list has already been finalized as

per the earlier election schedule then there is no reason to change the voter list. The petitioner has made a representation/complaint to the Collector

and thereafter filed the present petition before this Court.

It is not in dispute that in the month of January, 2022 the cases of Covid-19/

Omicron were increased in the State of M.P due to which section 144

Cr.P.C has been imposed. Since the lections involved gathering of number of persons, therefore, a decision has been taken to postpone the election.

According to the complaint by the petitioner, the first voter list was affixed in the premises of Collectorate and thereafter the final voter list was

published and affixed on 24.12.2021 and there is no discrepancy in respect of name of Vikram Chouhan. The election programme was declared and

according to which the voting was scheduled on 14.1.2022 and that has been postponed vide impugned notice. After 14.1.2022 there is no allegation

that the voter list has been changed, therefore, now only the voting is going to take place and there is no new voter list after 13.1.2022, hence no case

for interference is made out as new date has been fixed for voting. Any objection in respect of voter list can be raised after the election is over. No

interference is called for once the election has been declared. The petition is dismissed.