

(2021) 10 OHC CK 0057

In the Orissa High Court

Case No : Writ Petition (Civil) No. 24009 Of 2021

Samir Dey

APPELLANT

Vs

State Election Commission (SEC), Odisha And Others

RESPONDENT

Date of Decision : 25-10-2021

Acts Referred:

Odisha Municipal (Delimitation of Wards and Reservation of Seats and Conduct of Elections) Rules, 1994 — 2A, 2A(5)

Citation : (2021) 10 OHC CK 0057

Hon'ble Judges : Dr. S. Muralidhar, CJ;B.P. Routray, J

Bench : Division Bench

Advocate : Pitambar Acharya, Debakanta Mohanty

Final Decision : Dismissed

Judgement

1. Counter affidavit has been filed today by the State Government. Mr. Debakanta Mohanty, learned Additional Government Advocate appearing for the State. He has also produced before this Court two letters. One is a letter dated 25th October, 2021 from the Director of Municipal Administration addressed to all the District Magistrates and Collectors on the subject of "General Election to Municipality and completion of delimitation of wards and reservation of seats by the District Magistrates".

2. The said letter sets out the programme for delimitation of Wards and reservation of seats for 105 Municipalities and Notified Area Councils for the purposes of holding General Elections. In terms of the said programme the issuance of draft notification and inviting objections and suggestions is to take place by 9th November, 2021; the last date of receipt of objections and suggestions by the District Magistrates under Rule 2-A of the Odisha Municipal (Delimitation of Wards and Reservation of Seats and Conduct of Elections) Rules, 1994 is 18th November, 2021. The publication of a notification relating to delimitation of Wards and Reservation of seats by the District Magistrates under Rule 2-A (5) of the Rules is 29th November, 2021. Between 29th November and

13th December 2021 appeals against the publication of the notifications are to be dealt with.

3. A separate letter dated 25th October, 2021 has been issued by the the Director of Municipal Administration to the Municipal Commissioners of Bhubaneswar, Cuttack and Berhampur setting out the programme for completing of the division of the said cities into wards and reservation of seats. This exercise ending in the publication of the final notification is to be completed before 20th January, 2022.

4. Mr. Pitambar Acharya, learned Senior Advocate appearing for the Petitioner has been heard for almost an hour today.

5. List for further hearing on 10th January, 2022. Rejoinder affidavit, if any, be filed in the meantime.

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