



IN THE HIGH COURT OF ORISSA AT CUTTACK

ELPET No. 6 of 2024

Pritiranjana Gharai

.....

Election Petitioner

Represented by
Mr. U.K. Samal, Adv.

-Versus-

Pradeep Bal Samant

.....

Respondent

Represented by
Mr. P.K. Rath, Sr. Adv. with
Mr. B.K. Sharma, Adv.
Mr. G.K. Agarwal, Adv. for
District Election Commissioner

CORAM:

THE HON'BLE MR. JUSTICE SASHIKANTA MISHRA

ORDER

13.11.2024

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Mr. G.K. Agarwal, Advocate and associates by filing a memo seek permission to withdraw their power to appear on behalf of the respondent. The memo be kept on record. Their names be deleted from the cause list.
3. Mr. P.K. Rath, learned Senior Counsel appears and submits that he has been engaged to argue the matter on behalf of the respondent.
4. List this matter on 3rd December, 2024 along with any other intervention applications that may have been filed in the meantime.

(Sashikanta Mishra)
Judge



I.A. No./2024

Order No.
05.

1. This is an application filed in Court by the respondent seeking six weeks' time to file the written statement.
2. The I.A. be registered.
3. It is stated that in view of the averments made in the election petition, some time is required to collect documents to prepare written statement.
4. Mr. U.K. Samal, learned counsel for the Election Petitioner opposes the prayer for time.
5. Considering the submissions and the grounds on which time is sought for, this Court is inclined to allow the same.
6. Two weeks' further time is allowed to the respondent to file his written statement.
7. I.A. is disposed of.

(Sashikanta Mishra)
Judge

I.A. No. 53 of 2024

Order No.
06.

1. Heard Mr. G.K. Agarwal, learned counsel appearing for District Election Officer.
2. This is an application filed on behalf of the District Election Officer, Jajpur to open the strong room, remove the EVMs and VVPATs for any future election or any other purpose and further direction to transportation of EVMs to other states/manufacturing companies or to the warehouse of the Election Commission of India as per norms/guidelines of the Election Commission of



India,

3. Mr. G.K. Agarwal, learned counsel appearing for the District Election Officer submits that the present dispute does not relate to EVMs and VVPATs and there is no necessary for the same being kept in the strong room indefinitely as they may be required to be used in other elections.

4. Mr. U.K. Samal, learned counsel for the Election Petitioner and Mr. P.K. Rath, learned Senior Counsel appearing for the respondent have no objection if such prayer being allowed.

5. Considering the submissions and the facts stated in the application, the same is allowed. The District Election Officer-cum-Collector, Jajpur is permitted to open the strong room, remove the EVMs and VVPATs for this constituency (54-Sukinda Assembly Constituency) for any future election or any other purpose and also to transport the EVMs to other States/manufacturing companies or to the warehouse of the Election Commission of India strictly as per norms/guidelines of the Election Commission of India.

(Sashikanta Mishra)
Judge

A.K. Rana