



IN THE HIGH COURT OF ORISSA AT CUTTACK

ELEPT No.11 of 2024

Gorachand Mangaraj

***Election
Petitioner(s)***

*Represented by
Mr. Bidyadhar Mishra, Senior Advocate
assisted by Mr. T.K. Biswal, Advocate*

-versus-

Ananta Narayana Jena

....

Respondent(s)

**CORAM:
MR. JUSTICE A.C. BEHERA**

**ORDER
20.08.2024**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This Election Petition has been filed by one elector (voter)-cum-Proposer of B.J.P. Candidate of 112-Bhubaneswar Central (Madhya) Assembly Constituency, under Sections 80 to 84 and Section 100 of the Representation of the People Act, 1951 against the returned candidate (respondent-Ananta Narayana Jena) of that 112-Bhubaneswar Central (Madhya) Assembly Constituency praying for fresh election by setting aside the election of the returned candidate (respondent-Ananta Narayana Jena) declaring his election as void on



the ground of improper acceptance of the nomination papers of the returned candidate (respondent-Ananta Narayana Jena) as well as nomination papers of the Congress Candidate Prakash Chandra Jena due to non-compliance of the provisions of the Representation of the People Act, 1951 as well as the Rules and Orders made in the said Act enumerated in the Sub-clause (1)(d)(i)(iii)(iv) of Clause (1) in Section 100 of Representation of the People Act, 1951 for non-furnishing the required correct and detailed particulars of Form 26 as per Section 33-A of Act 1951 as well as Rule 4-A of the Conduct of Elections Rules, 1961 and the affidavits thereof i.e. for non-disclosure of the required income tax details/particulars, for non-disclosure of the name of the institution, from which, he (respondent-Ananta Narayan Jena) had passed B.A. as well as for the illegalities in the process of polling of the votes and counting of the votes in the election, by the result of which, the election of the returned candidate (respondent-Ananta Narayana Jena) has been materially affected.

3. It appears from the presently available materials in the record that, the election petition has been filed by the election petitioner within time complying the requirements of Sections 80 to 84 and Section 117 of the Representation of People Act, 1951.



4. Hence, admit the Election Petition.
5. It appears from the record that, the requisites have already been filed for sending the notices of this election petition to the respondent for filing of written statement by the respondent as well as for settlement of the issues. For which, list this matter on 09.09.2024 for filing of written statement by the respondent as well as for settlement of issues.
6. Registry is directed to send the notice on both the ways to the Respondent.
7. List this matter on 09.09.2024 along with ELEPT No.25 of 2024 for the above purposes.

(A.C. Behera)
Judge

Rati Ranjan

Signature Not Verified

Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: High Court of Orissa, Cuttack, India.
Date: 20-Aug-2024 20:26:58

