



IN THE HIGH COURT OF ORISSA AT CUTTACK

ELEPT No.25 of 2024 & CAVEAT PETITION No.1 of 2024

Shri Jagannath Pradhan

***Election
Petitioner(s)***

*Represented by
Mr. Adwitya Sathpathy, Advocate*

-versus-

Ananta Narayana Jena

..... Respondent(s)

*Mr. Pankaj Kumar Sahoo, Advocate
appearing on behalf of Mr. A.K. Nath,
Advocate (Caveator)*

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

ORDER

13.08.2024

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. The Election Petition (Election Petition No.25 of 2024) was listed today for hearing along with the above Caveat Petition filed by the Caveator (respondent-Ananta Narayana Jena) under Section 148-A of the CPC for admission.

But, the learned counsel for the Caveat Petitioner submitted that, he has no instructions to press the same.

Hence, the Caveat Petition No.1 of 2024 is dismissed as not pressed and accordingly, the same is disposed of finally.

3. This Election Petition No.25 of 2024 has been filed by one of the Contesting candidate of 112-Bhubaneswar Central Assembly



Constituency, Odisha being an election petitioner 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 Assembly Constituency praying for declaring the election of the returned candidate (respondent-Ananta Narayana Jena) as void and for creation of the casual vacancy of that 112-Bhubaneswar Central Assembly Constituency for conducting fresh poll on the ground of improper reception, refusal, rejection of valid votes and reception of votes which are void as envisaged in Sub-clause (d)(iii) of Clause-(1) of Section 100 of Representation of the People Act, 1951 alleging the violation of the provisions of the Rules 49-E, 49-P, 49-S, 56 and 66 of Conduct of Election Rules, 1961 by which, the result of the election of the returned candidate (respondent-Ananta Narayana Jena) has been materially affected.

Therefore, the petitioner has prayed for declaring the election of the returned candidate (respondent-Ananta Narayana Jena) as void and for creation of casual vacancy for repolling.

4. 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.

5. Hence, admit the Election Petition filed by the Election Petitioner.

6. 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.

7. Registry is directed to send the notice on both the ways to the Respondent.

8. List this matter on 09.09.2024 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: 14-Aug-2024 18:44:46

