



IN THE HIGH COURT OF ORISSA AT CUTTACK

ELPET No. 5 of 2024

Brajamohan Pradhan

.....

Election Petitioner

Represented by
Mr. M.R. Mohapatra, Sr. Adv.

-Versus-

Aswini Kumar Patra

.....

Respondent

Represented by
Mr. Tarani Kanta Biswal, Adv.

Mr. Gopal Kumar Agarwal
For District Election Officer,

CORAM:
THE HON'BLE MR. JUSTICE SASHIKANTA MISHRA

ORDER
18.11.2024

Order No.
06.

1. This matter is taken up through hybrid mode.
2. Mr. T.K. Biswal, learned counsel appearing for the sole respondent files written statement in Court after serving copy on the counsel for the petitioner. He also files application for dismissal of the election petition at the threshold on the grounds stated therein.
3. The I.A. be registered. Copy of the I.A. be served upon learned counsel for the petitioner, who may file his objection to the said petition.
4. Mr. Biswal has filed another I.A. under Order 6 Rule 16 read with Order 7 Rule 11 of CPC. Copy of the petition has been served on counsel for the petitioner, who may file his objection to the petition.



5. List this matter on 9th December, 2024.
6. Objection to the I.As, if any, be filed in the meantime.

(Sashikanta Mishra)
Judge

I.A. No. 54 of 2024

Order No.
05.

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, Balasore 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. T.K. Biswal, 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, Balasore 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