

Office of the Election Authority

Under J&K Panchayati Raj Act, 1989

(Chief Electoral Officer, J&K)

“Greater Participation for a Stronger Democracy”

Subject: OWP No. 2413/2018, IA No.01/2018 titled Mansoor Ali and another versus State of J&K & Others.

ORDER No.: CEO/Pyt/2018/ 725

DATED 23-11-2018

Whereas, the petitioners preferred to file the aforesaid writ petition seeking following reliefs:

- Writ of Mandamus directing respondents to relocate polling station of village Karkitchoo (Kargil) from Middle School to Community Hall/Panchayat Ghar, Karkitchoo, District Kargil or Sheep Husbandry Department Building currently used as extension centre for holding upcoming Panchayat, Assembly and Parliamentary Elections.*
- Writ of Mandamus direction the respondents to allow petitioners alongwith 174 voters enlisted in annexure P-2 to cast their votes in polling station High School Chanigund which is near by the village of petitioners.*

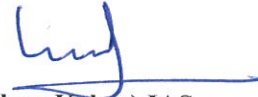
Whereas, Hon'ble High Court has been pleased to dispose of the instant writ petition by way of an order dated 22-11-2018, with a direction to respondent No. 2, the operative part of which is reproduced below:

“This petition is disposed of with a direction to respondent No. 2 to consider the prayer of the petitioners for relocation of Polling station of village Karkitchoo (Kargil) from Middle School to Community Hall/Panchayat Ghar, Karkitchoo District Kargil and pass appropriate orders in accordance with the rules within a period of one week from the date a copy of this order is served upon him. It is made clear that this court has not expressed any opinion with regard to the merits of the case. The authority would be at liberty to pass any order in accordance with law. Disposed of alongwith connected MP(s).”

Whereas, report in the matter was sought from the District Panchayat Election Officer (Deputy Commissioner), Kargil and the same has been received; and

Whereas, it has been stated in the report that Karkitchoo is a Panchayat Halqa with 436 number of voters having 7 (seven) panch constituencies (2 in Latoo and 5 in Karkitchoo). In Karkitchoo village 3 polling stations are in Government MS Building and 2 polling stations are in Panchayat Ghar due to non availability of sufficient number of rooms in the school building. Further, it has been reported that Govt. Middle School is constructed on higher elevation near the graveyard and hence there is no question of hurting religious sentiments or violation of any religious rights. Further, the said building possesses basic minimum facilities (BMF) as required by the guidelines for setting up of a polling station. The report concludes that there is no need to relocate or shift the location of the Polling Stations of Village Karkitchoo from Government Middle School building to other place;

Now, therefore, in due deference of the court direction and in view of the above report, there does not seem or arise any need to relocate the Polling Stations of Village Karkitchoo from Government Middle School building to some other place, as such the claim does not sustain, hence rejected.



(Shaleen Kabra) IAS

Election Authority

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(Chief Electoral Officer, J&K)

Dated: 23-11-2018

No. 5402/CEO/LS/Pyt/2018/141-42

Copy to:

- District Panchayat Election Officer (Deputy Commissioner) Kargil for information and compliance.
- Director, Rural Development Department, Srinagar for information.