

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. 2319/2018, IA No.01/2018 titled Ruchika Sharma Vs State of J&K & Others.

ORDER

Whereas, the petitioner preferred to file the aforesaid writ petition and the same came to be disposed of by the Hon'ble Court by way of an order dated 13-11-2018, the operative part of which is reproduced below:

“This petition alongwith connected IA(s) is disposed of with a direction to respondent No. 2 to consider the case of the petitioner and pass an appropriate order preferably within a period of one week from the date a copy of this order is served upon him.”

Whereas, petitioner is aggrieved of her non-inclusion in the voter list of Panchayat Halqa Rehmbal Lower-I, village Rehani, Tehsil and district Udhampur; and

Whereas, report in the matter was sought and following the principle of *audi alterum partem*, the petitioner was afforded an opportunity of being heard in the instant matter; and

Whereas, after hearing the petitioner and upon perusal of the records, it is revealed that the petitioner had herself filled form PER-2 (inclusion form) requesting for inclusion of her name in Panchayat Halqa Rehmbal-Upper and, accordingly, had been included by the concerned authorities. On query, the petitioner admitted the signatures on the form to be hers. Indeed, the place of the ordinary residence of the petitioner is Rehmbal Upper Khatryar, as she has been married and is currently living with her husband in Rehmbal Upper Khatryar, fact evidenced from the Ration card of the family of her husband which includes herself and their children. It is also pertinent to mention that the name of the petitioner has been deleted from the voter list during the exercise of preparation and updation of Panchayat voter list/electoral roll, a process that was widely publicized and during that period too, the petitioner had never approached or made any claim or objection.

Now, therefore, in due deference of court directions and taking into consideration the factual matrix above, the undersigned has reached the conclusion that the petitioner has been correctly included in the electoral roll of Panchayat Halqa Rehmbal-Upper and, therefore, her plea, being devoid of merit, is rejected.



(Shaleen Kabra) IAS

Election Authority

Under J&K Panchayati Raj Act, 1989

(Chief Electoral Officer, J&K)

No. 5402/LS/CEO/Pvt/2018/136

Dated: 20-11-2018

Copy to:

1. District Panchayat Election Officer (Deputy Commissioner) Udhampur for information.