



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**ELEPT No.20 of 2024**

***Saroj Kumar Meher***

***Election  
Petitioner(s)***

***Represented by  
Ms. N. Agarwal, Advocate***

***-versus-***

***Kanak Vardhan Singh Deo***

***....***

***Respondent(s)***

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

**ORDER  
08.08.2024**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This Election Petition has been filed by one of the Contesting candidate of 67-Patnagarh 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 Kanak Vardhan Singh Deo of that 67-Patnagarh Assembly Constituency arraying him as respondent praying for declaring the election of the said returned candidate (respondent) as void and to set aside the same on the ground of improper acceptance of his nomination papers by the Returning Officer in spite of non-compliance with 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 (d)(i) and (iv) of Clause (1) in Section 100 of the Representation of the People Act, 1951 for non-furnishing the original affidavits with each sets of nomination papers at the time

of presentation of the same in compliance to the Form 26 under Rule 4-A of the Conduct of Election Rules, 1961 and for non-furnishing the detailed and correct particulars of his movable and immovable assets and the correct values thereof by that time and for non-disclosure of all the criminal cases pending against him along with the correct position/status thereof and non-disclosure of the correct amount of his bank accounts and false declaration of his income tax returns of the last five years in the Form 26 under Rule 4-A of Conduct of Election Rules, 1991 and the affidavits thereof those were mandatorily required under Rule 4-A of the Conduct of Election Rules, 1961 to be filled up in Form 26 stating about the improper acceptance of his nomination papers by the Returning Officer in spite of non-compliance with the provisions of the Act, 1951 and Conduct of Election Rules 1961, the result of the election of the returned candidate (Respondent) has been materially affected.

3. It appears from the presently available materials in the record that, the election petition has been filed 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 filed by the Election Petitioner.

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 30.08.2024 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 30.08.2024 for the above purposes.

**( A.C. Behera )**  
**Judge**

Rati Ranjan