

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2008 of 2024

Jatin Mohanty

...

Petitioner

Mr. S.K. Parhi, Advocate

Mr. S. Joshi, Advocate

-versus-

***Election Commission of India and
Others***

...

Opposite Parties

Mr. Ashok Parija, Advocate General

Mr. Debakanta Mohanty, Addl. Govt. Advocate

CORAM:

THE CHIEF JUSTICE

MR. JUSTICE MURAHARI SRI RAMAN

ORDER

18.03.2024

Order No.

02.

This matter is taken up through Hybrid mode.

2. The petitioner has filed the present writ application in the nature of Public Interest Litigation (PIL) seeking a direction restricting Biju Janta Dal (BJD) from use of public money in the advertisement of various State Government welfare schemes by using its party symbol. The petitioner claims to be a resident of Bhubaneswar and a public spirited person.

3. Learned counsel for the petitioner has submitted that though the petitioner is the General Secretary of Bharatiya Janata Party (BJP), he has filed the present writ application in his individual capacity and not in his capacity as a leader of Bharatiya Janata Party (BJP).

4. Upon perusal of the contents of the writ petition and considering the timing of institution of this case just before the ensuing elections in the State, in our opinion, this petition in the nature of PIL lacks *bona fide*. The writ petition is, accordingly, dismissed.

5. The petitioner shall, however, be at liberty to pursue the issues, which have been raised in this case, before the Election Commission of India, if not already raised.

S.K.Jena/Secy

