

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8489 of 2021

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Nitu Devi wife of Vidhaya Prasad, resident of village- Salempur, P.S.-
Sidhwalia, Block- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Election Commission, through Election Commissioner, Sone Bhawan, Birchand Patel Path, Patna.
2. The District Magistrate, Gopalganj.
3. The District Election Officer, Gopalganj.
4. The Sub-Divisional Officer, Gopalganj.
5. The Block Development Officer cum- Block Election Officer, Block-Barauli, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate
For the State Election Commission: Mr. Amit Srivastava, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-09-2021 Heard Mr. Anurag Saurav, learned counsel for the

petitioner and Mr. Amit Srivastava, learned senior counsel for

the State Election Commission.

The petitioner has filed the present writ application
for a direction to the respondent nos. 2 and 4 to make correction
in the electoral roll of Ward No. 7 of Gram Panchayat- Salempur
Purvi, Block-Barauli, District-Gopalganj inasmuch as after
deleting the name of the petitioner from the final voter list of
Ward No. 7 the same has been transferred to Ward No. 13.

Learned counsel for the petitioner submits that
objection in this regard has been submitted before the the



respondent no. 3, but no decision has yet been taken upon the objection of the petitioner.

Learned senior counsel for the State Election Commission as well as learned counsel for the State referring to 2nd proviso of Section 126 of the Bihar Panchayat Raj Act, 2006 submits that no change in the electoral roll is permissible after notification of the Panchayat election is published and according to the respondents Panchayat election has been notified on 24-08-2021, and as such, no relief may be granted to the petitioner at this stage.

Having heard learned counsel for the parties and upon perusal of Section 124 & 126 of the Bihar Panchayat Raj Act, 2006, I am of the opinion that in view of the statutory provision, no positive order / direction can be issued directing change in the electoral roll after the date of notification of the Panchayat election.

Accordingly, the present writ application is dismissed.

(Anil Kumar Sinha, J)

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