

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16898 of 2021

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Deepa Kumari @ Deepa @ Deepa Gupta Wife of Sachindra Kumar, Resident
of Village - Chhajan Hari Ray Tola, P.S. - Kudhni, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar, Patna.
2. The Chief Electoral Officer, Bihar, Patna.
3. The D.M. - Cum - District Election Officer, Muzaffarpur.
4. The District Electoral Officer, Muzaffarpur.
5. The S.D.O., Muzaffarpur (West).
6. The Panchayati Raj Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Advocate Mr. Sunil Kumar, Advocate
For the State	:	Mr. Pratik Kumar Sinha, AC to GA-5
For the State Election Commission:	:	Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-10-2021 Heard Mr. Rajkumar Rajesh, learned counsel for

the petitioner, Mr. Pratik Kumar Sinha, AC to GA-5 for the

State and Mr. Girish Pandey, learned counsel appearing for

the State Election Commission.

2. Petitioner has preferred the present writ

application for adding her name in the electoral roll of the

upcoming Panchayat Election 2021 since her name has been

removed from the electoral roll.

3. Learned counsel for the petitioner submits that

objection in this regard has already been submitted by the



petitioner, but no decision has been taken upon this.

4. Learned counsel for the Respondents referring to second proviso to Section 126 of Bihar Panchayat Raj Act, 2006 submit that the Election has now been notified on 24.08.2021 and as per second proviso to Section 126 after the announcement of election, no change in the electoral roll shall be made after the notification of the date of Panchayat election by the Governor under Section 124 of the Act. Learned counsel next submit that notification for holding Panchayat election has already been issued on 24.08.2021.

5. Accordingly, they submit that no relief can be granted to the petitioner at this stage in view of second proviso of Section 126 of the Gram Panchayat Raj Act, 2006.

6. After having heard learned counsel for the parties and upon perusal of Sections 124 and 126 of the Bihar Panchayat Raj Act, 2006 and the relevant facts, this Court is satisfied that in view of second proviso to Section



126 of the Act, no change in the electoral roll can be allowed after notification of the Panchayat Election and undisputably the Panchayat election has been notified on 24.8.2021.

7. Accordingly, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

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