

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17455 of 2021

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Minu Kumari @ Meena Devi wife of Ravindra Bharti resident of Village-
Kajur, P.O. Kajur, P.S. Atri, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The State Election Commission, Bihar, Patna through its Secretary, 3rd Floor, Sone Bhawan, Daroga Rai Path, R. Block Chauraha, Beer Chand Patel Path, Patna, Bihar.
3. The State Election Commissioner, Bihar, Patna, 3rd Floor, Sone Bhawan, Daroga Rai Path, R. Block Chauraha, Beer Chand Patel Path, Patna, Bihar.
4. The District Magistrate cum District Election Officer, Gaya
5. The Block Development Officer cum Block Election Officer, Mohra Block, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Respondent/s : Mr. Pratik Kumar Sinha, AC to GA-5
For Election Commission: Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2021 Heard Mr. Shailesh Kumar, learned counsel for the petitioner, Mr. Pratik Kumar Sinha, learned AC to GA-5 for the State and Mr. Girish Pandey, learned counsel appearing for the State Election Commission.

Petitioner has filed the present writ application for correction of her name in the voter list of Gram Panchayat 'North Kujur' of Mohra Block, Gaya, as Minu Kumari instead



of Meena Devi which has wrongly been mentioned in the voter list of Bihar Panchayat General Election, 2021 and also for correction of the mistakes in the voter list of the said Panchayat as the names of several voters of Gram Panchayat 'North Kujur' have been mentioned in the voter list of another Gram Panchayat 'Arai'.

Learned counsel for the petitioner submits that objection in this regard has already been submitted to the concerned authority but no decision has been taken upon this.

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, 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 and most importantly, the Gram Panchayat Election, 2021 is now being held today itself.

Accordingly, they submit that no relief can be granted to the petitioner at this stage in view of aforesaid facts.

After having heard learned counsel for the parties and



upon perusal of the 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 undisputedly the Panchayat Election has been notified on 24.08.2021 which is now being held today itself.

Accordingly, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

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