

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17359 of 2024**

Vivek Chauhan son of Krishna Kumar Singh, resident of village- Paur Mal Shah Mohammadpur, P.O.- Paur, P.S.- Mahua, District - Vaishali at Hajipur.  
... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Cooperative, Government of Bihar, Patna.
2. The Registrar, Cooperative Societies, Bihar, Patna.
3. The District Magistrate- cum-District Election Officer (Cooperative), Vaishali at Hajipur, District- Vaishali at Hajipur.
4. The District Cooperative Officer, Vaishali at Hajipur, District - Vaishali at Hajipur.
5. The Block Development Officer-cum- Returning Officer, Cooperative Election, 2024, Mahua Block, District - Vaishali at Hajipur.
6. Govindpur Primary Agriculture Credit Cooperative Society, Govindpur, P.O.- Paur, P.S.- Mahua, Block - Mahua, District - Vaishali at Hajipur, through the Chairman.
7. The State Election Authority, Bihar Patna through the Chief Election Officer, Bihar, Patna.
8. The Secretary, The State Election Authority, Bihar Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                                    |
|----------------------|---|----------------------------------------------------|
| For the Petitioner/s | : | Mr. S.B.K. Manglam, Adv.<br>Mr. Awnish Kumar, Adv. |
| For the Respondent/s | : | Mr. Additional Advocate General (12)               |

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

2      19-11-2024                      Heard the parties.

2. Learned counsel for the petitioner has submitted that the attention of the concerned Returning Officer-cum-Block Development Officer was drawn towards incorrect inclusion of the voters' in the list, in prescribed format M/3, despite that, he turned a deaf ear and having no option, the petitioner approached the State Election Authority, initially on 15.10.2024



and when the Returning Officer did not consider the representation of the petitioner despite the specific direction of the State Election Authority, he again filed representation on 23.10.2024 before the State Election Authority. The State Election Authority sent letter No. 394 dated 24.10.2024 to the District Magistrate-cum-District Election Officer (Annexure-P/6) in which, the State Election Authority made specific request to the District Magistrate-cum-District Election Officer to hold an enquiry as per Rules but despite that, the District Magistrate-cum-District Election Officer did not comply the order of the State Election Authority.

3. Annexure-P/6 letter No. 394 dated 24.10.2024 shows that the State Election Authority has directed the District Magistrate-cum-District Election Officer to enquire into the matter but as per submission of the learned counsel for the petitioner, no enquiry has been conducted up-till date.

4. Learned counsel for the State Election Authority has submitted that no information was received by him from the District Magistrate-cum-District Election Officer in this respect.

5. The District Magistrate-cum-District Election Officer is directed to enquire into the matter within a period of two weeks.



6. The process of election shall only commence after enquiry concluded by District Magistrate-cum-District Election Officer and after submission of his report to the State Election Authority.

7. With the aforesaid observations, this writ petition stands disposed of.

**(Nawneet Kumar Pandey, J)**

Nirmal/AKV

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

