

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.530 of 2025

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Manish Kumar @ Manish Son of Indrajit Singh resident of village-
Jahanabad, P.O- Kudra, Ward No. 6, P.S.- Kudra, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Co-operative Department, Government of Bihar, Patna.
2. The Secretary, Bihar State Election Authority, 32 Harding Road, Patna - 800001.
3. The Registrar, Co-operative Society, Bihar, Patna.
4. The Deputy Registrar, Co-operative Society, Bihar, Patna.
5. The District Co-operative Officer, Kaimur at Bhabhua.
6. The Assistant Registrar, Co-operative Society, Kaimur at Bhabhua.
7. The Block Development Officer (BDO) cum PACCS Electoral Officer, Kudra, Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma, Advocate
For the Election Authority:		Mr. Mukesh Kumar Thakur, Advocate
For the State	:	Mr. Government Advocate-02

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 17-01-2025

Heard learned counsel for the petitioner, learned counsel
for the Bihar State Election Authority as well as learned counsel for
the State.

2. The present writ petition has been filed for the
following reliefs :

*“ A. For issuance of writ in nature of mandamus for direction
to stay on Notification of nomination contained in Memo No.
2314 dated 27.12.2024 issued by the respondent no. 2 with
respect to PACCS election under Nagar Panchayat PACCS,*



Kudra (earlier Jahanabad PACCS) (Primary Agriculture Credit Co-operative Society) Prakhand- Kudra, Kaimur which is scheduled from 16.01.2024 to 17.01.2025 is subject to gross irregularity in publication of electoral roll contrary to the Guideline contained in Memo No. 2178 dated 04.12.2024 issued by the respondent no. 2, against such irregularity petitioner filed objection application in terms of said Guideline which is still pending in expectation of final speaking order of authority.

B. For issuance of writ in nature of mandamus for commanding and directing the respondent authority to issue a fresh electoral roll of Nagar Panchayat PACCS Kudra (earlier Jahanabad PACCS) (Primary Agriculture Credit Co-operative Society) after consideration of petitioner membership keeping in view that he is coming as member since year 2009 and whose name was also mentioned in list of membership in electoral roll of year 2019 and thereafter suddenly in final publication of electoral roll his name was ousted from membership in order to deprive him from contesting election.

C. And for any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case."

3. Learned counsel for the petitioner outrightly submits that with the bad intention the authority concerned had published the name of the petitioner as a co-member in the voter list for the PACCS election. Although, the petitioner is the member since 2009 only intention the petitioner not participate in the present election and as per the Notification of the State Electoral Office, today i.e. 17.01.2025 is the last date of nomination.



4. Mr. Mukesh Thakur, learned counsel for the Bihar State Election Authority appears and fairly submits that it appears with the malafide intention the name of the petitioner had not published as a member in the voter list and although necessary direction was issued as Annexure-P/6 by the State Election Authority to the Block Development Officer but he has not taken step as yet.

5. In view of the aforesaid, the Block Development Officer (BDO) cum PACCS Electoral Officer, Kudra, Kaimur at Bhabhua (respondent no. 7) is directed to accept the nomination paper of the petitioner treating him as a member of the concerned PAACS.

6. Learned counsel for the Bihar State Election Authority as well as learned counsel for the State are directed to communicate the order to the authority concerned.

7. With the aforesaid directions, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	17.01.2025
Transmission Date	N.A.

