

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6331 of 2025

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Ruby Devi W/o Sikendra Choudhary, R/o Village and P.O- Aganoor, P.S- Kaler, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. District Magistrate cum Election Officer, Arwal.
3. Block Development Officer, Kaler Block, Arwal.
4. Co-operative Extension Officer, Kaler, Arwal.
5. Presiding Officer, South Kaler Panchayat PACS Under Kaler Block Arwal.
6. Jai Ranjan Singh Manager Panchayat South Kaler PACS, Kaler, Arwal.
7. Abhimanyu Kumar S/o Siyaram Singh, R/o Village- Aganoor, P.S.- Kaler, District- Arwal.
8. Mithilesh Kumar S/o Bindeshwari Singh, R/o Village- Jalwaria, P.O.- Aganoor, P.S- Kaler, District- Arwal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Sinha, Adv
For the Respondent/s	:	Mr. K.P. Gupta, G.P.-10
		Mr. Satya Vrat, AC to G.P.-10

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has sought relief in the present writ application for setting aside the entire election process and result of South Kaler PACS under Kaler Block Arwal conducted on 24.11.2024 and its result dated 27.11.2024 in which the private respondent has already been elected. The contention of the petitioner is that the nomination form filled by the petitioner was improperly rejected saying that she is not a valid voter



which is against the principle of guide line as contained in Annexure-P/2 in which as per the petitioner, it is clearly mentioned that those names appearing in the voter list dated 16.10.2019 would not be changed or deleted and the name of the petitioner in the said voter list was at serial no. 755. The petitioner, therefore, contends that the election has been held in an illegal manner by improperly rejecting the nomination of the petitioner.

3. The respondent counsel appearing for the State submits that since election has already been held and result has been declared on 27.11.2024 declaring the private-respondent no. 8 to be elected, the petitioner has a remedy to challenge the said election by filing election petition under Section 48 of the Bihar Co-operative Societies Act, 1935 on the ground of improper rejection of nomination paper as enlisted as one of the grounds in Section 12 (c) of the Bihar State Election Authority Act, 2008.

4. In view of the fact that the petitioner has an alternative remedy of challenging the election by way of filing election petition, the present writ application is dismissed granting liberty to the petitioner to file election petition, if she so desires for challenging the election on the ground being



agitated by her. If an election petition is filed within four weeks from the date of this order, the same shall be decided in accordance with law.

5. With the aforesaid liberty granted to the petitioner, the present writ application stands dismissed.

(Alok Kumar Sinha, J)

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