

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10698 of 2025

Bhulan Baitha son of Late Gojan Baitha, Resident of Village-Badahara, Ward No.-14, Panchayat Raj-Hardiya, P.O. and P.S.-Bhore, District-Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The State Election Commission (Panchayat), 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna through the State Election Commissioner.
4. The State Election Commissioner (Panchayat), State Election Commission, 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna.
5. The Secretary, State Election Commission (Panchayat), 3rd Floor, Sone Bhawan, Birchand Patel Path, Patna.
6. The District Magistrate cum District Election Officer (Panchayat), District-Gopalganj.
7. The District Panchayat Raj Officer, Gopalganj.
8. The Block Development Officer cum Returning Officer, Panchayat Election, Gram Panchayat Raj-Hardiya, Block and P.S.-Bhore, District-Gopalganj.
9. The Block Panchayat Raj Officer, Block and P.S.-Bhore, District-Gopalganj.
10. Mr. Ravi Kumar, Vikash Mitra, Gram Panchayat Raj-Hardiya, Block and P.S.-Bhore, District-Gopalganj.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Nityanand Mishra, Advocate
	:	Mr. Abhishek Mishra, Advocate
	:	Mr. Alok Abhinav, Advocate
For the Respondent/s	:	Mr. Standing Counsel (07)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-07-2025 Heard learned counsel for the petitioner, learned counsel appearing for State Election Commission and learned counsel for the Respondent-State.

2. In the present writ application, the petitioner has prayed for grant of following reliefs:-



(i) For issuance of appropriate writ/writs in the nature of mandamus, commanding and directing the Respondent authorities concerned to accept the Nomination Form of the petitioner to contest in the election to the post of Block Development Committee, Member, Gram Panchayat Raj-Haradiya, Block- Bhore, District-Gopalganj, which has not been received on 20.06.2025 at 03:30 PM within time period and delay was caused with intention to not accepting the same and finally the Nomination Form has been denied to accept by the respondent no.8 I.e., The Block Development Officer-cum-Returning Officer, Panchayat Election, Gram Panchayat Raj-Hardiya, Block & P.S.-Bhore, District-Gopalaganj, on the ground that the time for submission of the Nomination Form was up to 4 PM on 20.06.2025, and it is no longer available, rather the petitioner was within the time of submission the said form.

(ii) For further directing the Respondent authorities concerned to stay the operation of the Election of Block Development Committee, Gram Panchayat Raj-Haradiya, Block- Bhore, District-Gopalganj, which is scheduled



to be held on 09.07.2025 till the final disposal of the present writ application.

(iii) For direction to the respondents for any other relief(s) for which the petitioner is entitled to in accordance with law.

3. Learned counsel for the petitioner submits that election of Block Development Committee, *Gram Panchayat Raj-Haradiya*, Block-*Bhore*, District-*Gopalganj* is scheduled to be held on 09.07.2025 and he prays that the said election should be stayed.

4. Considering the fact that the process of holding election has already started and the election is scheduled to be held on 09.07.2025, this Court does not consider it appropriate to interfere with the election process which has already begun and hence, the prayer for staying the election is rejected.

5. After rejection of the prayer for stay of election, learned counsel for the petitioner submits that this writ application may be disposed of granting him liberty to challenge the election by filing election petition.

6. As prayed for by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to challenge the election and its result by filing an election petition, if he so desires.



7. With the aforesaid observation and direction, the
present writ application is disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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