

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1036 of 2026

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Naveen Kumar S/o Ramjapo Mahto, R/o - Village- Malpur (Chakyadu), P.S.-
Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Chief Election Commissioner, Bihar State Election Commission, Patna.
4. The District Magistrate, cum District Election Officer, Begusarai.
5. The District Panchayati Raj Officer, Begusarai.
6. The Block Development Officer, Begusarai.
7. The Panchayat Secretary Gram Panchayat Raj, Fafaut, Block - Khodawandpur, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar

For the Respondent/state : Mr. Prabhat Kumar, AC to GA 11

For the Respondent No. 3: Mr. Ravi Ranjan, Advocate

Mr. Girish Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-01-2026 1. Heard the parties.

2. The present writ application has been filed for a direction for bifurcation of Gram Panchayat Raj area namely, Fafaut and Malpur (Chakyadu) situated in Block - Khodawandpur.

3. The petitioner had earlier in 2011 approached the concerned authority for bifurcation of Gram Panchayat Raj Fafaut and create a new Gram Panchayat Raj Malpur on the basis of population.



4. Learned counsel for the petitioner submits that prior to 1995 Gram Panchayat Raj Fafaut and Malpur both used to be separate Gram Panchayats in the district of Begusarai and was earlier amalgamated as one Panchayat namely, Gram Panchayat Raj Fafaut, whereas, as per population, there was requirement of two Gram Panchayats after bifurcation of Gram Panchayat Raj Fafaut. The petitioner had earlier moved before this Court in PIL and a Division Bench of this Court vide its order dated 06.01.2011 directed the petitioner to approach the State Election Commission for consideration of the grievance of the petitioner. The State Election Commission on the basis of a petition filed by the petitioner instituted Case No. 03 / 2011. The census report of 2001 was under consideration in the aforesaid petition and the State Election Commission has rejected the claim of the petitioner for bifurcation of the Gram Panchayat on 15.03.2011 taking into consideration the fact that decision with regard to bifurcation of Gram Panchayat shall be considered after publication of report of census of 2011 on the basis of population.

5. Learned counsel for the State Election Commission and State submits that census report of 2011 was published much earlier but after lapse of about 15 years the petitioner has



approached this Court for bifurcation of Gram Panchayat that too without challenging the order dated 15.03.2011 passed by State Election Commission about fifteen years back. Census report of 2011 was published much earlier and now the census 2026 is to be started. Thus, submission is that the present writ application is not a bona fide application and has been filed as a proxy litigation due to political reason inasmuch as 2026 Panchayat Election is going to be held tentatively after September, 2026.

6. I have heard learned counsel for the parties. The petitioner did not challenge the order dated 15.03.2011 passed by the State Election Commission rejecting the claim of the petitioner on the ground that his claim for bifurcation of Gram Panchayat was based upon 2001 census and now census report of 2011 was to be published. During the period of fifteen years two Panchayat Elections have been held in 2016 & 2021 respectively but the petitioner did not take any step for challenging the order of rejection dated 15.03.2011 before 2016 & 2021 Panchayat Elections and now the petitioner woke up from his deep slumber and filed the writ application before the present Panchayat Election which is likely to be conducted after September, 2026. The petitioner approached this Court



with a stale claim of bifurcation which was rejected in 2011.
Accordingly, I come to the conclusion that the present writ application is devoid of any merit and has been filed due to political reason, as such, this writ application is dismissed.

(Anil Kumar Sinha, J)

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