

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1619 of 2026

Prayag Yadav S/o- Late Rameshwar Yadav, Resident of Mohalla- Bhaluhipur,
Ward No.-31, P.O- Chowk Ara, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Election Commission through the Secretary, Veer Chand Patel Marg Sone Bhawan, Patna, Bihar.
2. The Secretary, State Election Commission, Veer Chand Patel Marg, Sone Bhawan, Patna, Bihar.
3. The State Election Commissioner, State Election Commission, Veer Chand Patel Marg, Sone Bhawan, Patna, Bihar.
4. The District Magistrate, Bhojpur, District- Bhojpur.
5. The S.D.O., Ara Sadar, District- Ara.
6. The Circle Officer, Ara Town, District- Ara.
7. The District Panchayati Raj Officer, Ara.
8. The District Education Officer, Ara.
9. Krishna Jee, S/o- Late Shukhdev Narayan, Resident of Mohalla Bhaluhipur, Ward No.-31, P.O.- Chowk Ara, P.S- Ara Town, District- Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Respondent/s : Mr.Standing Counsel (21)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 03-02-2026 1. Heard the parties.

2. The grievance of the petitioner is that on a complaint made by the respondent no. 9 against the petitioner that the petitioner is having more than two children, Complaint Case No. 20 of 2023 was registered in the State Election Commission under Section 18(1)(M) of the Bihar Municipal Act, 2007 for disqualification of the petitioner from the post of Ward Councilor.



3. Learned counsel for the petitioner submits that pursuant to the complaint made against him, a report was called for by the State Election Commission in the year 2023 and the District Magistrate, Bhojpur has submitted report dated 30.05.2023 with the finding that the petitioner -Ward Councilor is having only two children. Similar report was submitted by the SDO, Ara Sadar and other authorities, copy of which has been annexed as Annexure-P/5 Series. Accordingly, submission is that the State Election Commissioner may be directed to dispose the complaint lodged against the petitioner within a reasonable time frame.

4. Learned counsel for the State Election Commission submits that the State Election Commissioner definitely will decide the complaint as per law and materials submitted before him as early as possible.

5. Considering the rival submissions of the parties, taking into consideration the nature of dispute and the prayer made in the writ application, this writ application is disposed with a direction to the respondent no. 3-State Election Commissioner to dispose the Complaint Case No. 20 of 2023 within a period of two months from the date of receipt / production of a copy of this order in accordance with law after giving opportunity of



hearing to all concerned.

(Anil Kumar Sinha, J)

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