

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10604 of 2026

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Ruhi Singh Wife of Keshaw Raj, Resident of Mohalla - Station Chawk
Pokhara, Bettiah, P.S. - Bettiah Town, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Special Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
4. The Additional Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
5. The State Election Commission through the State Election Commissioner, Bihar, Patna.
6. The State Election Commissioner, State Election Commission, Bihar, Patna.
7. The Secretary, State Election Commission, Bihar, Patna.
8. The Officer on Special Duty, State Election Commission, Bihar, Patna.
9. The Under Secretary, State Election Commission, Bihar, Patna.
10. The District Magistrate - cum - District Election Officer (Municipality), West Champaran.
11. The Additional Collector (Public Grievance Redressal) - cum - District Public Grievance Redressal Officer, Madhubani.
12. The Sub Divisional Officer, Bettiah, West Champaran.
13. The Municipal Commissioner, Bettiah Municipal Corporation, Bettiah, West Champaran.
14. Azad Hussain, Son of Azad Hussain, Resident of Near Old Mosque, Mansa Rauf, Bettiah, P.S.-Bettiah Town, District - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Adv.
For the Respondent/s	:	Mr. Government Advocate (03)
		Mr. Shiv Kumar, Adv.
For the SEC	:	Mr. Ravi Ranjan, Adv.
		Mr. Girish Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 17-07-2026

Heard the learned counsel for the parties.



2. This writ petition has been filed for the following relief(s):-

“I. For issuance of appropriate Writ / Writs in the nature of Certiorari for quashing of the Notice issued vide Letter No.- 2365 dt. 05.06.2026 (Annexure-P/2) in Case No. - 26 of 2026 by the Officer on Special Duty, State Election Commission, Bihar, Patna whereby and whereunder the Petitioner has been issued notice in a Complaint bearing Case No. 26 of 2026 for declaring him disqualified /ineligible for the Post of Ward Councilor in terms of Section - 18 (1) read with Section 18 (2) of Bihar Municipal Act, 2007 in an arbitrary, illegal and mechanical manner without any unimpeachable evidence or conclusive proof and in complete violation of judicial pronouncements.

II. For issuance of appropriate Writ / Writs in the nature of Certiorari for quashing the Complaint bearing Case No. 26 of 2026 pending before State Election Commission, Bihar, Patna which has been filed for declaring the Petitioner disqualified / ineligible for the Post of Ward Councilor in terms of Section 18 (1) read with Section - 18 (2) of Bihar Municipal Act, 2007 and the State Election Commission has issued Notice in an arbitrary, illegal and mechanical manner without any unimpeachable evidence or conclusive proof and in complete violation of judicial



pronouncements.

III. To stay the further Proceeding of Case No. 26 of 2026 pending before State Election Commissioner, State Election Commission, Bihar, Patna till the final adjudication of the Writ Petition.”

3. Having regard to the fact that the petitioner is challenging the notice issued to him, this Court is not inclined to entertain the present writ petition. The the present writ petition is disposed of directing the petitioner to file his objections to the said notice and on such objection being filed, the authority duly taking into consideration the objections shall pass a reasoned order. It is needless to mention that before passing any order, the petitioner and other interested person shall be given an opportunity of hearing. Any order passed shall be communicated to the party.

4. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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