

2026:JHHC:13115

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P. (C) No. 3199 of 2026**

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Binay Kumar Rajwar, aged about 39 years, Son of Bharat Rajwar, Resident of Jealgora No. 7, Digwadih No. 10, P.O.- Jealgora, P.S.- Jorapokhar, District-Dhanbad, Jharkhand. .... **Petitioner(s).**

**Versus**

1. The State of Jharkhand.
2. The Election Commissioner, State Election Commission, Jharkhand, having its office at Ratu Road, Ranchi, P.O. Hehal, P.S. Sukhdeonagar, District Ranchi.
3. The Secretary, Scheduled Caste, Scheduled Tribe, Minority and Backward Class Welfare Department, Jharkhand, Ranchi - cum - Chairman, Caste Scrutiny Committee, Govt. of Jharkhand, Ranchi, P.O. and P.S. Dhurwa, District Ranchi.
4. The Deputy Commissioner, Dhanbad, P.O. and P.S. Dhanbad, District Dhanbad, Jharkhand.
5. The District Deputy Election Officer (Municipality), P.O. and P.S. and District Dhanbad, Jharkhand.
6. The Election Officer (Municipality), ward No. 41 to 42, P.O. and P.S. and District Dhanbad, Jharkhand.
7. The Sub-Divisional Officer, Dhanbad, P.O. and P.S. Dhanbad, District Dhanbad, Jharkhand.
8. The Circle Officer, Jharia, P.O. and P.S. Jharia, District Dhanbad, Jharkhand.
9. Muni Lal Rabidas, Son of Sri Shiv Mangal Rabidas, Resident of Bhaga No. 16, P.O. Bhaga, P.S. Jharia, District Dhanbad, Jharkhand. ... **Respondents.**

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**CORAM : SRI ANANDA SEN, J.**

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For the Petitioner(s) : Mr. Raj Nandan Chatterjee, Advocate  
For the Respondents : Mr. Faisal Allam, AC to SC (Mines)-III  
Mr. Sumeet Gadodia, Advocate  
Mr. Ranjeet Kushwaha, Advocate  
Ms. Nidhi Lall, Advocate  
Ms. S. Agrawal, Advocate  
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**02/ 04.05.2026:** Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. By filing this writ petition, the petitioner prays for following relief:

*“a. For issuance of an appropriate writ(s), order(s) or a writ in the nature of mandamus directing the respondents to immediately and forthwith make enquiry of the documents on the basis of which Scheduled Caste Certificate of Respondent no. 9 has been issued by The Sub-Divisional Officer, Dhanbad and after enquiry hold and declare that the said Caste Certificate issued to the respondent no. 9 is not genuine as he is not entitled to get the benefit of reservation in the State of Jharkhand.*

*b. For issuance of a further writ(s), order(s), direction(s), directing and commanding upon the state respondents to cancel the election of Respondent no. 9 as Parshad of Ward No. 42 of district Dhanbad because he has contested and elected from the reserved area of Ward No. 42 in Dhanbad district on the*

*basis of Scheduled Caste Certificate for which he is not entitled. The Respondent no.-9 is permanent resident of the state of K Uttar Pradesh and he is not entitled to get benefit of reservation in the State of Jharkhand. The petitioner had given application to Election Officer, (Ward No. 41 to 45) Dhanbad on 05-02-2026 during the process of election and requested to enquire the matter of Candidature of the Respondent no. 9 from the area reserved for Scheduled Caste of Jharkhand.”*

3. From the arguments of the parties and the prayer made herein, it is clear that the petitioner wants cancellation of the election of respondent No.9 as Ward Commissioner of Ward No.42 of District Dhanbad. The ground on which the petitioner seeks cancellation of the said election is that the respondent No.9 had obtained wrong caste certificate and based on the wrong caste certificate he contested the election, which is absolutely illegal.
4. From the aforesaid prayer, it is clear that the main prayer of the petitioner is for cancellation of election of respondent No.9.
5. Jharkhand Municipal Act, 2011 provides the procedure for cancellation of election. As per Section 580 of the Act, 2011, an election petition has to be filed before the appropriate authority.
6. Section 584 of the Act, 2011 provides the grounds on which the election can be declared as void.
7. Further, Section 583 (b) of the Act, 2011 provides that no election to any municipality can be called in question except by election petition presented to the prescribed authority under the Act.
8. Considering the provision of law, I am not inclined to entertain this writ petition.
9. With the aforesaid observations, this writ petition is disposed of with liberty to the petitioner to take appropriate recourse in terms of the Jharkhand Municipal Act, 2011.

**(ANANDA SEN, J.)**