

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 3283 of 2026

Rupali Sarkar, W/o Sanjay Sarkar, Ward Councillor-04, Nagar Parishad Pakur,
R/o Ward No.-03, Khadanpara (Kurthinagar), P.O. & P.S. Pakur, District Pakur,
Jharkhand

... **Petitioner(s)**.

Versus

- 1.The State Election Commission, Jharkhand, through its Secretary, Nirvachan Bhawan, New Market Chowk, Ratu Road, Ranchi, Jharkhand
- 2.The Deputy Commissioner-cum-District Election Officer, Pakur
- 3.The Returning Officer, Nagar Parishad Pakur, District- Pakur
- 4.Rana Ojha, Ward Councillor, Nagar Parishad Pakur,

... **Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Sumit Kumar, Advocate
For the State : Ms. Rishi Bharti, AC to AAG-III

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03/ 05.05.2026 Heard, learned counsel for the petitioner and learned counsel for the State.

2. Petitioner by filing this writ petition, has prayed to declare the result of election of Vice-President, Nagar Parishad Pakur illegal.
3. It is the case of the petitioner that the result of the election of Vice-President, Nagar Parishad Pakur was declared illegally, which could not have been declared in favour of the elected candidate.
4. Admittedly, the Election was held in terms of the Municipal Act, 2011. This Municipal Election, if needs to be challenged should be in terms of Section 580 of the Jharkhand Municipal Act, 2011 by filing an election petition.
5. Section 580 of the Jharkhand Municipal Act reads as follows:-

580. Election Petition.

(1) The election to any office of a municipality shall not be called in question except by an election petition as prescribed:

Provided that if an election to any office of a Nagar Panchyat is under dispute, the election petition shall lie before such Munsif within whose jurisdiction such Nagar Panchyat is situated and if the election to any office of Municipal Council and Municipal Corporation is under dispute, the election petition shall lie before such Sub-Judge within whose jurisdiction such municipality is situated.

6. Section 583 of the aforesaid act bars interference of Court in electoral matter. Thus, I am not inclined to entertain this writ petition under Article 226 of the Constitution of India. The petitioner, if so, advised may approach the appropriate forum challenging the election of the elected candidates in terms of the Jharkhand Municipal Act.

7. Accordingly, the instant writ petition stands **dismissed**.

(ANANDA SEN, J.)