

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 2424/2026

Shaukat Ali S/o Bagadu Khan, Aged About 33 Years, R/o Mukam
Post Mohara Kallan, Tehsil Raipur, District Beawar (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through The District Collector
Cum District Election Officer Pali, District Pali.
2. The Electoral Registration Officer (Sdm), Sumerpur,
District Pali.

-----Respondents

For Petitioner(s)	:	Mr. Jitendra Singh Bhaleria
For Respondent(s)	:	Mr. Deepak Suthar, AGC for Mr. S.S. Ladrecha, AAG

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

25/03/2026

1. Learned counsel for the parties jointly submit that issue involved in present case is squarely covered by judgment dated 18.09.2025 passed by this Court in **S.B. Civil Writ Petition No. 18355/2025 (Ten Singh vs. State of Rajasthan & Ors.)**. It was held therein as follows: -

"The main grievance of the petitioner is that the petitioner was not an elector in the area where the petitioner was posted as Booth Level Officer (BLO). The guidelines issued by the Election Commission categorizes three types of persons who can be posted as Booth Level Officers (BLO). These three categories are indicated as Clause 1.1, Clause 1.2 and Clause 1.3. If a person is not an elector and no employees who are categorized under Clause 1.1 and Clause 1.2 are available then he can be posted by invoking powers under Clause 1.3. Challenging the same, the petitioner earlier filed a writ petition, which was disposed of by granting liberty to the petitioner to file a representation and such representation was directed to be considered in light of Clause 1.1 only.

The respondent authorities, vide the impugned order, after considering the representation, have rejected the claim of the petitioner, holding that though the petitioner referred to the availability of employees at the booth level as listed under Clause

1.2, his case was not considered for the reason that the direction was only with reference to the availability of employees categorized under Clause 1.1. However, his submission is that both Clause 1.1 and Clause 1.2 were taken into consideration in the body of the judgment at paragraph 24. Therefore, the authorities should have considered the availability of employees under Clause 1.2 as well.

No doubt, in the operative portion of the order which directed the respondent to consider the representation, the direction was only with reference to the availability of employees listed under Clause 1.1. However, the guidelines show that a person who is not an elector can be appointed as Booth Level Officer and such a person, who is not an elector in the booth for which he was appointed, can be appointed by invoking powers under Clause 1.3 and Clause 1.4, subject to the non-availability of employees categorized under Clause 1.1 and Clause 1.2. Therefore, this Court is inclined to dispose of the writ petition.

In view of the above facts, the present writ petition is disposed of with the direction that if any fresh representation is filed by the petitioner within a period of two weeks from today, identifying any regular State/local Government employee who is an elector of the concerned area, the respondent authorities shall be under an obligation to strictly comply with Clause 1.1 to Clause 1.2 of the instructions/guidelines dated 04.10.2022 (as modified vide communication dated 05.06.2025) of the ECI.

Stay petitions and pending applications, if any, stand disposed of."

2. Directions contained in said judgment shall *mutatis mutandis* apply to the present case.
3. Accordingly, present writ petition is **disposed of**.
4. Stay petition and all pending applications, if any, hereby stand **disposed of**.

(SANJEET PUROHIT),J