

Court No. - 6

Case :- WRIT - C No. - 27561 of 2023

Petitioner :- Umesh Singh

Respondent :- U.P. State Election Commission And 3 Others

Counsel for Petitioner :- Swati Singh, Birendra Singh

Counsel for Respondent :- C.S.C., Radhey Shyam Yadav

Hon'ble Mrs. Manju Rani Chauhan, J.

The instant petition has been filed praying for quashing an order dated 02.06.2023 passed by the District Judge, Farrukhabad in Civil Revision No. 14 of 2023, Ramesh Singh v. Umesh Singh and others.

Learned counsel for the petitioner submits that in the elections held in the year 2021, the fourth respondent, namely, Ramesh Singh was elected as Pradhan. Assailing thereto, the petitioner filed an election petition inter alia on two grounds (i) that counting of votes was done in an illegal and arbitrary manner and the petitioner's application was not considered by the authorities concerned, as well as, he was ousted from the counting hall, and (ii) invalid votes cast were counted in favour of the petitioner, on the other hand the valid votes were considered in favour of the fourth respondent.

The aforesaid election petition came to be allowed on 09.02.2023 after framing 9 issues, against which the fourth respondent preferred a revision. By order dated 02.06.2023, the revisional court has set aside the order dated 09.02.2023 remitting the matter back to the prescribed authority to be decided afresh.

I have heard Sri Birendra Singh, learned counsel for the petitioner, learned Standing Counsel for the State functionaries,

Sri Sudhanshu Pandey, learned counsel for the fourth respondent and perused the record.

Learned counsel for the parties submit that the election petition may be directed to be decided within some stipulated period.

In view of the consent of learned counsel for the parties for the order proposed to be passed, there is no need to call any reply, thus, the same is being disposed of finally, at this stage, in terms of the Rules of the Court.

In view of the above, a direction is issued upon the Prescribed Authority to decide the election petition, as per the remand order of the revisional court dated 02.06.2023, in accordance with law, expeditiously, preferably within a period of three months from the date of production a certified copy of this order.

The writ petition stands disposed of accordingly.

No order as to costs.

Order Date :- 31.10.2023

DS