

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12671 of 2023

Petitioner :- Pramod Kumar

Respondent :- Arati And 13 Others

Counsel for Petitioner :- Ram Pravesh Pandey

Counsel for Respondent :- Tarun Agrawal

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Saurabh Pandey, Advocate, under the authority of Shri Ram Pravesh Pandey, learned counsel for the petitioner. Shri Dileep Kumar Srivastava, Advocate, has put in appearance on behalf of the respondent nos. 1 and 4, learned Standing counsel has put in appearance on behalf of the State respondents and Shri Tarun Agarwal, Advocate, has put in appearance on behalf of the respondent no. 3. No one has put in appearance on behalf of the respondent no. 5 and 6.

2. Considering the nature of the order that is proposed to be passed notice upon the private respondents nos. 7 to 14 is hereby dispensed with.

3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the District Judge, Mau, to decide the Election Petition No. 08 of 2023 (Pramod Kumar vs. Arti and others), within the time stipulated by this Court.

4. Learned counsel for the petitioner submits that election for the post of Chairman Nagar Panchayat Madhuban, District-Mau, was held on 11.05.2023 and counting of votes took place on 13.05.2023. In the said election the petitioner and the respondent no.1 were contested for the post of Chairman. The respondent no. 1 was declared winner by securing 3077 votes and a certificate to that effect was issued in her favour on the same day i.e. 13.05.2023. The petitioner has filed the aforesaid case against the respondent no. 1, for cancellation of the election of the respondent no. 1 on the post of Chairman, Nagar Panchayat Madhuban, District-Mau.

5. Heard learned counsel for the parties and perused the record.
6. From perusal of the order sheet, annexed as annexure no. 2, to the petition, it is borne out that the case was lastly listed on 29.11.2023 and the case was adjourned for 04.12.2023 for filing objection and replication on issues.
7. Considering the fact that the aforesaid case, is pending consideration, before the District Judge, Mau, this Court is of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly ***disposed off*** by requiring the District Judge, Mau, seized with the Election Petition No. 08 of 2023 (Pramod Kumar vs. Arti and others) to consider and decide the case expeditiously, preferably within a period of **six months**, from the date of production of certified copy of the order of this Court, strictly in accordance with law, without granting unnecessary adjournments to either of the parties.

Order Date :- 11.12.2023

Deepak/