

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5440 of 2023

Petitioner :- Pawan Kumar Gupta

Respondent :- District Judge/Prescribed Authority, District-Gonda And 27 Others

Counsel for Petitioner :- Ashish Kumar Singh

Counsel for Respondent :- C.S.C., Rohit Tripathi

Hon'ble Rajnish Kumar,J.

Vakalatnama filed by Shri Pradeep Kumar Shukla, Advocate on behalf of the opposite party no.5 is taken on record.

Heard Shri Ashish Kumar Singh, learned counsel for the petitioner, learned Standing Counsel and Shri Pradeep Kumar Shukla, learned counsel for the opposite party no.5.

Learned counsel for the opposite party no.5 raised a preliminary objection that this petition not only suffers from material concealment of facts but also non-disclosure of complete order sheet because the opposite party no.5 as appeared in Election Petition No.2 of 2023 pending before the prescribed authority, District- Gonda and filed an application under Order-7, Rule-11 C.P.C. on 09.10.2023 but the same has not been disclosed in this petition. He further submits that complete order sheet has not been annexed with the petition.

Shri Ashish Kumar Singh, learned counsel for the petitioner submits that inadvertently the same could not be disclosed as the application was filed just before filing of the petition. However he submits unconditional apology and submits that this petition may be dismissed as not pressed with liberty to file fresh at appropriate stage in case occasion arises. To which there is no objection by the learned Standing Counsel and learned counsel for the opposite party no.5.

In view of above, this petition is **dismissed** as not pressed with liberty as aforesaid.

(Rajnish Kumar, J.)

Order Date :- 27.10.2023

Haseen U.