

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.6256 OF 2015

ORDER

The issue involved in this writ petition was already considered by me in W.P.No.5668 of 2015, dated 9.3.2015, wherein I permitted the petitioner to comply with the conditions as soon as the election code ceases to operate. The NCTE was directed to consider the application of the petitioner in accordance with the rules and regulations and pass appropriate orders.

Sri K.Ramakanth Reddy, learned Standing Counsel appearing for 2nd respondent brought to the notice of the Court that NCTE had made an application before the Hon'ble Supreme Court seeking extension of time to consider the fresh applications received upto 31st May, 2015 and that by order dated 9.3.2015 in I.A.Nos.130-131/2015 in SLP Nos.4247-4248/2009, the Supreme Court permitted extension as sought for by the applicant-NCTE

In view of the said order, the petitioner herein as well as the petitioner in W.P.No.5668 of 2015 can comply with the requirements.

Hence, this Writ Petition is also disposed of with the similar direction rendered in W.P.No.5668 of 2015, which reads as hereunder:

“The impugned proceedings dated 26.02.2015 merely call upon the petitioner to comply with all the conditions if possible and reply before 2.3.2015. Hence, if the petitioner is not able to comply with the said clause 4 (b) on account of external reasons such as election code, the petitioner, obviously, cannot be blamed. The second respondent, NCTE, shall not, therefore, reject the application of the petitioner and keep it pending so as to enable the petitioner to comply with the said clause 4 (b) as early as possible and as soon as the election code ceases to operate. As and when the petitioner submits compliance, accordingly, the NCTE shall consider the application of the petitioner in accordance with the rules and regulations and pass appropriate orders.

The writ petition is accordingly disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.”

JUSTICE VILAS V.AFZULPURKAR

13th March, 2015
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