

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1671 of 2016

- Pooja W/o Setram Sahu, Aged About 30 Years R/o Village Chisda, Police Station Hasaud, Tahsil Jaijaipur, District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. Anjana Sahu W/o Shatrughan Sahu, Aged About 46 Years
 2. Kumari Sahu
 3. Fuleshwari W/o Gendram, Aged About 42 Years
- All are R/o Village Chisda, P. S. Hasaud, Tahsil Jaijaipur, District Janjgir Champa (Chhattisgarh)
4. Rohit Patel, (Returning Officer)
 5. Returning Officer Of Voting Center No. 264 (Primary School Chisda)
 6. Returning Officer Of Voting Center No. 265
 7. Returning Officer Of Voting Center No. 266
 8. Returning Officer Of Voting Center No. 267
 9. Returning Officer Of Voting Center No. 268
 10. Returning Officer Of Voting Center No. 269
- Returning No.4 to 10 through Office At Tahsil Office Jaijaipur, District Janjgir Champa (Chhattisgarh)
11. Returning Officer (Division), Jaijaipur, District Janjgir Champa (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Anchal Kharya, Advocate
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Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/7/2016

1. Heard.
2. The Election Tribunal has dismissed the petitioner's application under Section 5 of the Limitation Act and consequently, the Election Petition filed under Section 122 of the C.G. Panchayat Raj Adhiniyam, 1993 has been dismissed, as barred by limitation.
3. In the matter of **Ansar Ahmad Vs. Sub-Divisional Officer, Kairana and others, AIR 1998 Allahabad 341** and **Anwari Basavaraj Patil and others Vs. Siddarmaiah and others, AIR 1994 SC 512**, the Supreme Court has held that the provisions contained in Section 5 of the Limitation Act do not apply to the Election Petitions, therefore, delay in filing Election Petition cannot be condoned.
4. In the considered opinion of this Court, the Election Tribunal i.e. the Sub Divisional Officer (Revenue), Sakti District Jangjir-Champa, has not committed any illegality by dismissing the Election Petition as barred by limitation.
5. The writ petition being devoid of any substance, deserves to be and is hereby dismissed. Sd/-

Judge

(Prashant Kumar Mishra)

Shyna

