

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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CIVIL REVISION PETITION No. 5844 OF 2015

ORDER:

This revision is filed challenging the inaction of the Election Tribunal-cum-Junior Civil Judge, Bichkunda (for short, 'the Tribunal'), alleging that though there was a direction from this Court to decide O.P.No. 2 of 2013, the Tribunal did not consider the same, it is pending till today, sought a direction against the Tribunal to take up the matter, decide on day to day basis and drawn attention of this Court to ***Pukhrem Sharatchandra Singh Vs. Mairembam Prithviraj alias Prithibiraj Singh***^[1].

Learned counsel for the respondents did not raise any substantial objections to take up the matter and decide the same on day to day basis.

When a revision is filed against the inaction of the Tribunal, this Court can issue necessary direction exercising supervisory jurisdiction under Article 227 of the Constitution of India since the Tribunal is subordinate to this Court. Admittedly, this Court, by order dated 27-12-2014 in C.R.P.No. 4794 of 2014, directed the Tribunal to decide the election petition within three months but the three months time fixed by this Court has already been elapsed and the only complaint of the petitioner is that the Tribunal is not taking up the matter on day to day basis. In ordinary course of events, priority has to be given to election petitions and those matters have to be taken up and decided on day to day basis. In ***Pukhrem Sharatchandra Singh*** (*supra*), the Apex Court held that grant of adjournments in extremely liberal manner is contrary to the conception of expeditious disposal and directed all Tribunals to decide the matters on day to day basis. By applying the principle laid down in the above judgment, I find that it is a fit case to issue a direction to the Tribunal to dispose of the election petition within four months, from the date of receipt of a copy of this order, to achieve the object of

legislation and no further time will be extended under any circumstances.

The civil revision petition is allowed accordingly. Pending miscellaneous petitions in this revision, if any, shall stand dismissed in consequence. No order as to costs.

M.SATYANARAYANA

MURTHY, J.

Date: 07-01-2016.

JSK

[\[1\]](#) AIR 2015 SC 3783