

HON'BLE SRI JUSTICE S. RAVI KUMAR

C.R.P.No. 1273 of 2016

ORDER:

This revision is preferred under Article 227 of the Constitution of India contending that Election Tribunal-cum-Senior Civil Judge, Siddipet is not disposing of Election O.P. No.36 of 2014.

2. Heard both sides.

3. Advocate for petitioner submitted that petitioner's side evidence was closed before Election Tribunal-cum-Senior Civil Judge, Siddipet (for short "lower tribunal") and when the matter is coming for the evidence of respondents, first respondent instead of giving evidence, filed Interlocutory Application to issue summons to witnesses, and in that process, the matter is being adjourned from time to time.

4. Advocate for respondents submitted that respondents are also co-operating with the Court for early disposal and he has no objection to fix reasonable time for disposal of Election O.P.

5. Election O.P. is filed in the year 2014 questioning the election of first respondent for Mandal Parishad Territorial Constituency (MPTC), Duddeda-II Constituency, Kondapaka Mandal, Medak District, which was conducted on 06.04.2014, in which, first respondent was declared as elected. Admittedly, term of office is 5 years, and if, the Election O.P. is not disposed of at an early date, the very purpose of filing of Election O.P. or its result, would be of no use.

6. Advocate for petitioner submitted Hon'ble Supreme Court's in ***Pukherem Sharatchandra Singh v. Mairembam Prithviraj @ Prithibiraj Singh***^[1], while dealing with the election petitions, held that there should be expeditious disposal as per the time stipulated in the Act, therefore, in view of the above referred Supreme Court decision, the purpose of filing of Election O.P. will be defeated, if the same is not disposed of at an early date, at least, before the expiry of term.

7. For these reasons, I am of the view that the lower tribunal shall be directed to dispose of Election O.P.No.36 of 2014, as expeditiously, as possible, preferably, within three (03) months from the date of receipt of a copy of this order.

8. With the above direction, this Civil Revision Petition is disposed of. No costs. Miscellaneous petitions, if any pending, in this revision shall stand closed.

S. RAVI KUMAR, J

Date: 13-04-2016.

gvl

^[1] 2015(7) Supreme 129