

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No.42303 of 2018

ORDER: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

This writ petition is filed challenging the rejection of a nomination to an election governed by the provisions of the Representation of the People Act, 1951 (for short, 'the Act').

2. Hearing the learned counsel for the petitioner and the learned Standing Counsel for the Election Commission of India, we are not inclined to entertain this writ petition having regard to the availability of improper rejection of nomination as a ground for declaring an election to be void in terms of Section 100 (1)(c) of the Act and bearing in mind the embargo contained in Article 329 (b) of the Constitution of India.

3. Hence, preserving all rights of the petitioner to seek relief in accordance with law as provided for in the Act, this writ petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

Date: 22.11.2018
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