

HIGH COURT OF CHHATTISGARH, BILASPURElection Petition No.3 of 2019

Hira Singh Markam, S/o Late Dev Sai Markam, Aged about 78 years,
R/o Village Tivarta, Post Tivarta, Tahsil Pali, Police Station Pali, District
Korba (C.G.)

---- Election Petitioner

Versus

1. Mohit Ram Kerketta, S/o Late Budhram Kerketta, Aged about 52 years, (Elected Candidate), R/o Village Komli, Post Silli, Tahsil Pali, PS Pali, District Korba (C.G.)
2. Uike Ramdyaal, S/o Kunjal Singh Uike, Aged about 53 years, R/o Village Bokramuda, H.No.84, Village Panchayat Bagra, Tahsil Pendra Road, District Bilaspur (C.G.)
3. Sukhnandan Singh Puhup, House No.322, Chhapartola, Jalke, Tahsil Pondi-Uparoda, District Korba (C.G.) Pin No.495445
4. Cresentia Kujur, R/o AB 1079-80, Block 3, Yamuna Vihar, Jamuni Pali, Tahsil Katghora, District Korba (C.G.)
5. Tapeswar Singh Maravi, R/o Village Sakola, Post Kotmikala, Tahsil Pendra, District Bilaspur (C.G.)
6. Alwan Singh, R/o Darrabhata, Block Pondi-Uparoda, District Korba (C.G.)
7. Dr. L.S. Uday Singh, R/o Village Sasin, Post Jatga, Tahsil Pondi-Uparoda, District Korba (C.G.)
8. The Election Commission of India, through the Chief Election Commissioner, Nirvachan Sadan, Ashoka Road, New Delhi.
9. Chief Electoral Officer / Commissioner of State Election Commission, Chhattisgarh, Shashtri Chowk, Old Mantralaya, Raipur (C.G.)
10. Electoral Registration Officer, Raipur, Shashtri Chowk, Old Mantralaya, Raipur (C.G.)
11. The District Electoral Officer, Korba, District Korba (C.G.)
12. The Returning Officer, Legislative Region No. 23, Pali Tanakhar Legislative Assembly, District Korba (C.G.)

---- Election Respondents

For Election Petitioner: Mr. Dheerendra Pandey, Advocate.

For Respondent No.2: Mr. R.S. Marhas, Advocate.

For Respondents No.3 and 4: -

Mrs. Renu Kochar, Advocate.

For Respondents No.1 and 5 to 12: -
None present.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/07/2021

1. Proceedings of this matter have been taken-up through video conferencing.
2. On 7-6-2021, it was informed to this Court that the sole election petitioner has died and pursuant to that, this Court by order dated 7-6-2021, directed for publication of notice as required under Section 112(2) of the Representation of the People Act, 1951 read with Rule 311 of the High Court of Chhattisgarh Rules, 2007. It has now been reported that the fact of death of election petitioner Hira Singh Markam has already been published in the Chhattisgarh Rajpatra on 15th June, 2021 and no one has applied for substitution as election petitioner within 14 days of such publication and therefore no question of substitution arises to continue the proceeding.
3. In view of the aforesaid, the election petition is declared as abated on the death of the sole election petitioner in terms of Section 112(1) of the Representation of the People Act, 1951. Accordingly, the election petition is closed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Election Judge