

:: ORDERS ::

The petitioner filed election petition U/sec. 15 and 19 r/w 45(2) of Panchayath Raj Act praying to declare election held on 28.02.2018 for Adyaksha and Upadyaksha post in Konara Gram Panchayath is null and void.

The petition is accompanied by an affidavit sworn by petitioner, along with petition the petitioner filed IA.No.II U/O 39 rule 1 and 2 of CPC praying to stay declaration of result of election of Adyaksha and Upadyaksha till disposal of application. The application is accompanied by an affidavit sworn by the petitioner.

The petitioner produced copy of notice, copy of Adhar card, election certificate issued by returning officer of Gram Panchayath Konara and one photo.

I have heard arguments on the side of petitioner and perused the material available on record.

On perusal of record the petitioner has not made out prima-facie case at this stage to grant Exparte stay.

I am of the opinion that, it is just and necessary to hear on other side before passing orders on IA.No.II.

Hence, issue emergent notice on IA.No.II and notice to petitioner returnable by 12.03.2018.

(Raghavendra D.)
Senior Civil Judge, Bhatkal