



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1736 of 2026

MEENU TRIVEDI AND OTHERS **versus** STATE OF CHHATTISGARH AND OTHERS

Order Sheet

10/04/2026	<p>Mr. Devershi Thakur, Counsel for the Petitioner.</p> <p>Mr. Abhishek Sinha, Senior Advocate with Mr. Ghanshyam Patel, Advocate, Mr. Ashutosh Shukla, Panel Lawyer and Mr. Palash Tiwari, Advocate for the respective respondents.</p> <p>Heard on admission.</p> <p>Issue notice to the respondents on payment of PF by Monday i.e. 13.4.2026.</p> <p>Also heard on IA No.1/2026, an application for grant of interim relief.</p> <p>In the present case, the Election proceedings have already commenced and polling is scheduled for 12.4.2026. In a judgment rendered in the matter of <i>Dulari Devi v. State of Rajasthan, 2015 SCC OnLine Raj 121</i>, the Division Bench of the Rajasthan High Court has held the following at paragraph 41:</p> <p><i>41. In view of the constitutional bar imposed by Article 243-O(b) of the Constitution of India in Part-IX-The Panchayats, which has reiterated the principles of non-interference in the election matters once the election</i></p>
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process has started, under Article 329 of the Constitution of India, and the principles established by the Hon'ble Supreme Court in such matters, we do not propose to pass any interim order in these matters. We also do not find any merit in the submission that the petitioners are not seeking interference in the electoral process, but are only praying for extending the dates of filing nominations. An extension of the dates of nomination would, in our opinion, amount to interference in the election process. We are also of the view that since Part IX of the Constitution of India, does not provide for any extension of the term of Panchayats, and that the term of the Panchayats in the State of Rajasthan is going to end in January, 2015, any interim order at this stage causing interference in the process of elections for constituting Panchayats under the Act of 1994, will lead to chaos and confusion, and will create a crisis for the Rajasthan State Election Commission in holding elections.

Furthermore, in the matter of **Shaji K. Joseph Vs. V. Viswanath and others (Civil Appeal No.1629 of 2016 (Arising out of SLP (C) No.22902 of 2011), decided on 22.2.2016) / MANU/SC/0223/2016**, the following was held in para 14 :

14.The judgments referred to hereinabove clearly show the settled position of law to the effect that whenever the process of election starts, normally courts should not interfere with the process of election for the simple reason that if the process of election is interfered with by the courts, possibly no election would be completed without court's order. Very often, for frivolous reasons candidates or others

approach the courts and by virtue of interim orders passed by courts, the election is delayed or cancelled and in such a case the basic purpose of having election and getting an elected body to run the administration is frustrated. For the aforesaid reasons, this Court has taken a view that all disputes with regard to election should be dealt with only after completion of the election.

*15. This Court, in **Ponnuswami v. Returning Officer, AIR 1952 SC 64** has held that once the election process starts, it would not be proper for the courts to interfere with the election process. Similar view was taken by this Court in **Shri Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Sanstha v. State of Maharashtra, 2001(8) SCC 509.***

Considering the facts and circumstances of the case and in the light of the aforesaid principle laid down in the aforementioned judgments, specially considering the fact that the Election of the Bar is scheduled **on 12.4.2026**, this Court is not inclined to grant any interim relief to the petitioner.

Accordingly, the application is rejected.

However, it is directed that the result of the Election would be subject to the final outcome of this petition.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay

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