

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 5555 of 2024****Mohammad Salman *Versus* State Of Chhattisgarh****Order on Board**

11/11/2025	<p>Mr. B.P. Singh, counsel for petitioner.</p> <p>Ms. Upasna Mehta, Dy. Govt. Advocate for State-respondent No.1 and 2.</p> <p>Ms. Juhi Anguriya on behalf of Mr. R.K.Kesharwani, counsel for respondent No.3.</p> <p>Mr. Animesh Verma, counsel for respondent No.4 and 5.</p> <p>Mr. R.S. Marhas with Ms. Sweta Mishra, counsel for intervenors.</p> <p>Heard on I.A. No.4, which is an application for intervention filed by State Election Commission seeking intervention in this writ petition.</p> <p>Learned counsel for intervenors would submit that submission of learned counsel for petitioner is that after passing of interim order in his favour dated 28.01.2025, the State Election Commission in the teeth of order has</p>
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declared respondent No.5 as unopposed elected, however, stand of the Election Commission is that after getting knowledge about the interim order passed by this Court, State Election Commission having its office at Raipur has passed an order of staying the bye-election for the election of counselor of Ward No.35, which is filed as Annexure I-1. Subsequent to the passing of order dated 31.01.2025, it was brought to the knowledge of the intervenors that prior to the receipt of order dated 31.01.2025, respondent No.5 has already been declared elected (unopposed), therefore, vide order dated 21.02.2025, the order of stay dated 31.01.2025 has been cancelled because the said order pursuant to the declaration of elected candidate unopposed has rendered unenforceable. He contended that in the facts of the case and the grounds raised in this petition, the intervention application filed by the intervenors be allowed so that intervenors may be in a position to defend themselves in appropriate manner.

On due consideration on the submission of learned counsel for parties and also considering the facts and circumstances of the case, I.A. No.4, application for intervention filed by State Election Commission is allowed.

Learned counsel for petitioner is directed to implead the Election Commission as party respondents and serve one extra copy of writ petition along with relevant documents to the newly added respondents within further period of three days.

Let necessary amendment be carried out within a

week.

Learned counsel for newly added respondents submits that he may be granted two weeks time to file reply to the writ petition.

Learned counsel for petitioner submits that he may be granted two weeks time to file rejoinder to the reply filed by respondent No.4 and 5 and also submits that he may be granted further one week time to file rejoinder to the reply to be submitted by newly added respondents.

As prayed by the parties, list this case in the week commencing 15.12.2025.

Interim relief granted earlier to continue till the next date of hearing.

Sd/-
(Parth Prateem Sahu)
Judge