

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/ELECTION PETITION NO. 12 of 2023**

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CHANDRAKANTBHAI HIRABHAI MACHHAR  
Versus  
NIMISHABEN MANHARSINH SUTHAR

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Appearance:  
MR DIPEN DESAI(2481) for the Petitioner(s) No. 1  
for the Respondent(s) No. 1,2,3,4,5

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**CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**  
**Date : 27/07/2023**  
**ORAL ORDER**

1. Mr Dipan Desai, learned advocate appearing for the petitioner, while inviting attention of this Court to the press release issued by the election commission submitted that at item no.71, the details of assembly constituency and names have been mentioned wherein the seat of constituency of Morva Hadaf is for Scheduled Tribe candidate. It is submitted that the respondent no.1, though has claimed that she is Scheduled Tribe candidate on the basis of her father; however, as per the opinions expressed by the various officers, the said status of Scheduled Tribe, has been found not to be correct. It is submitted that earlier, similar such election petition was filed against the respondent no.1 before this Court and this Court, was kind enough to issue summons and is pending.

2. Considered the submissions. Issue notice to the respondents, returnable on 28.08.2023.

RAVI P. PATEL

**(SANGEETA K. VISHEN,J)**