

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/ELECTION PETITION NO. 8 of 2023**

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MADHU NIRUPABEN NATVARLAL

Versus

AMRUTIYA KANTILAL SHIVLAL

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Appearance:

PARTY IN PERSON(5000) for the Petitioner(s) No. 1
for the Respondent(s) No. 1

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CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN

Date : 31/03/2023

ORAL ORDER

1. Ms Madhu Nirupaben Natvarlal, learned Party-in-Person, while inviting attention of this Court to the affidavit dated 20.11.2017 of the defendant, submitted that in the affidavit filed in the year 2017, the defendant, has given the details of the government quarter allotted to him at the address namely 4/3, New Members' Residence. It is submitted that in the year 2017, the defendant, was possessing the government quarter of which, the defendant, has also filed affidavit that there are no outstanding dues of the State Government. As per the judgment and the instructions issued, the defendant, is obliged to provide all the information of last ten years namely the defendant, possessing government quarter and certificate, certifying that there are no outstanding dues. In the recent election, the defendant, has filed an affidavit dated 10.11.2020 and against the column government dues, it is mentioned that the same is not applicable. It is submitted that the said information, together with the affidavit dated 10.11.2020, in form no.26 as per Rule 4A, is incorrect. It is further submitted that as per the prescribed format, the candidate, is also obliged to

provide the details of Hindu Undivided Family. In the affidavit, the said column, is missing. It is submitted that the defendant, could not have modified/deleted the requirement of the details of the Hindu Undivided Family. When the objection was raised by the applicant, that another form has been provided with the said details (page 243). It is submitted that such mode, is not permissible. If at all, any compliance is required to be fulfilled, the same should be done before the objections were lodged.

2. Considered the submissions. Issue notice to respondent no.1, returnable on 5.5.2023.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)