

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 1891 of 2026

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RAWAT SOHILBHAI PRAVEENBHAI

Versus

NINAMA SARTANBHAI KANJIBHAI & ORS.

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Appearance:

MR SHUBHAM JHAJHARIA(10231) for the Petitioner(s) No. 1

MS KRISHNA DESAI, AGP for the Respondent(s) No. 5,6

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CORAM: HONOURABLE MR. JUSTICE BHARGAV D. KARIA

and

HONOURABLE MR. JUSTICE L. S. PIRZADA

Date : 12/02/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)

1. Heard learned advocate Ms. Kruti Shah for learned advocate Mr. Shubham Jhajharia for the petitioner and learned Assistant Government Pleader Ms. Krishna Desai for respondent Nos. 5 and 6.

2. It was submitted by learned advocate Ms. Shah that the Election Tribunal could not have exercised the powers

under the provision of section 31(7) (b) of the Gujarat Panchayats Act, 1993 to order the recounting of the votes considering the facts and evidence on record.

3. In support of her submissions, reliance was placed on the following decisions:

(i) **Ravindra Natubhai Patel vs. Satishbhai Parshotambhai Patel** reported in 2025 (2) GLH 711;

(ii) **Vadivelu vs. Sundaram and ors** reported in (2000) 8 Supreme Court Cases 355

4. Considering the above submissions, issue Notice returnable on 16.02.2026. Direct service is permitted.

(BHARGAV D. KARIA, J)

(L. S. PIRZADA, J)

JYOTI V. JANI