

Election Petition No. 01 of 2024

02.04.2025 Present: Mr. P. Chidambaram and Mr. Prashanto Sen, Senior Advocates, with M/s Aman Panwar, Muddit Gupta and Yash Johri, Advocates through V.C. and Mr. Neeraj Gupta, Senior Advocate with M/s Ajeet Singh Jaswal and Mr. Vedhant Ranta, Advocates for the petitioner.
M/s Vikrant Thakur and Subham Singh Guleria, Advocates, for the respondent.

I have heard learned counsel appearing for the parties. From the pleadings of the parties, following issues arise for determination:-

- “1. Whether in view of the tie of votes, the candidate on whom the lot fell, i.e., the petitioner, ought to have been declared as the Returned Candidate in terms of the provisions of Section 65 of the Representation of People Act, 1951 and the Conduct of Election Rules, 1961? OPP*
- 2. Whether the petitioner consented to the election procedure and, if so, whether he is estopped from maintaining the present election petition? OPR*
- 3. Whether the election petition is not maintainable in terms of the provisions of the Representation of People Act, 1951? OPR*
- 4. Relief.*

Issues read over and explained to the parties. No other issue arises or pressed. List the case for recording of evidence of the election petitioner, on a date to be fixed by Additional Registrar (Judicial), on taking steps in this regard by the petitioner.

**(Ajay Mohan Goel)
Judge**

April 02, 2025
(bhupender)