

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Election Petition No. 5/2024

Purushottam Lal S/o Shri Charansingh

----Petitioner

Versus

Sanjana W/o Shri Kaptan

----Respondent

For Petitioner(s)	:	Petitioner present in person
For Respondent(s)	:	Mr. R.D. Meena Mr. R.N. Mathur, Sr. counsel with Mr. Abhishek Mewada Mr. Anurag Sharma for Election Commission of India.

HON'BLE MR. JUSTICE SUDESH BANSAL
Order

10/09/2025

1. Election Petition has come up on application (I.A. No.10/2025) filed by petitioner under Order 7 Rule 14 CPC, seeking permission to produce revenue record of agricultural lands recorded in the name of father-in-law and mother-in-law of returning candidate respondent No.1 herein. In addition, copies of Janaadhar Card IDs of the family members of respondent No.1 have also been sought to be produced to show that respondent No.1 resides with her father-in-law and mother-in-law and entire family has a common Janaadhar I.D.
2. Submission of petitioner is that in the relevant column of nomination form under the title of "Hindu Avibhakt Kutumb" (Hindu Undivided Family) (for short, HUF)', respondent No.1 has not disclosed the details of agricultural land, recorded in the name of her father-in-law and mother-in-law and on that count, respondent No.1 is guilty of concealment of the properties of her HUF.

3. Reply to the application has been filed by respondent No.1, refuting the application of petitioner stating *inter alia* that in the HUF of respondent No.1, her father-in-law and mother-in-law cannot be assumed to be a member of her HUF and non-disclosure of their agricultural land by respondent No.1 in her nomination form, does not lead to concealment of the properties of her HUF.

4. Heard. Considered.

5. *Prima facie*, the petitioner is not able to show that HUF of respondent No.1 shall include her father-in-law and mother-in-law as a member of HUF. Petitioner made an argument that father-in-law and mother-in-law of respondent No.1 are residing with respondent No.1 and since all are residing together, same constitute a HUF. This Court is not convinced with such argument since staying together may not be misconstrued with legal sense of HUF.

6. Admittedly, the proposed documents sought to be produced on record, pertain to the agricultural lands of father-in-law and mother-in-law of respondent No.1 and the I.D of Janaadhar has also been sought to be produced in that nexus, this Court does not find these documents to be material and relevant to the issues involved in the instant election petition.

7. Consequently, the documents, being irrelevant and having no direct nexus with respondent No.1 rather pertain to her father-in-law and mother-in-law, who cannot be treated as a member of HUF of respondent No.1, are declined and the application is hereby rejected.

7. Let election petition be listed on 20.09.2025 at 10.30 AM for conclusion of cross examination of respondent No.1 by the petitioner.

(SUDESH BANSAL),J