



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Election Petition No. 1/2023

Purushottam Lal S/o Shri Charansingh, Aged About 42 Years, R/o -
Sirsoda, Roopbaas, Tehsil And Post Office -Roopbaas, District
Bharatpur (Rajasthan) Pin 321404, Mobile No. 8058252613, Email
Purshotta.3658@gmail.com

----Petitioner

Versus

1. Ritu Banawat W/o Shri Bansal, R/o -Makan No. 159, Gandhi
Sewa Sadan Lal Bagh, Nagarpalika -Bayana, Tehsil -Bayana,
District Bharatpur (Rajasthan,) Mobile No. 9414261862
2. Bachchusingh S/o Shri Kanchansingh, Aged About 44 Years,
R/o - Basai, Post Banshi Paharpur, Tehsil Roopbaas, District
Bharatpur (Rajasthan). Mobile No. 7891012126, 9810211751
3. Amarsingh S/o Shri Sukhram, Aged About 54 Years, R/o -
Basai , Post -Banshi Paharpur, Tehsil Roopbaas, District-
Bharatpur (Rajasthan) Mobile No. 9828039468, 9358321341
4. Mukesh S/o Shri Bhagwansingh, Aged About 46 Years, R/o -
Rudrawal, District Bharatpur (Rajasthan) Mobile No.
9587203632
5. Madanmohan S/o Shri Vedariya, R/o -Gram And Post -
Khedathakur, Tehsil Roopbaas, District-Bharatpur (Rajasthan),
Mobile No. 7073648625
6. Munniram S/o Shri Bhabuti, Aged About 58 Years, R/o
Singhrawali, Post-Kot, Tehsil Bayana, District-Bharatpur
(Rajasthan), Mobile No 9694883495
7. Neetu Sejwal D/o Shri Premsingh, R/o Lal Darwaja, Purani
Sabji Mandi Bayana, Tehsil Bayana, District Bharatpur
(Rajasthan) Mobile No. 7014941326
8. Vijaysingh S/o Shri Mangal, Aged About 45 Years, R/o Jasora,
Post- Kotthana, Tehsil Bayana, District Bharatpur (Rajasthan ,
Mobile No. 9461747066)
9. Ajaysingh S/o Shri Kanchansingh, Aged About 25 Years, R/o
Basai, Post- Banshi Paharpur, Tehsil-Roopbaas, District
Bharatpur (Rajasthan), 7610012221, 7891012126
10. Sudesh Kumari W/o Shri Nawalsingh, Aged About 35 Years,
R/o - Nagla Baretha, Post-Bandh Baretha, Tehsil - Bayana,
District -Bharatpur (Rajasthan), Mobile No. 7073515372
11. Nirwachan Adhikari And Upkhand Magistrate, Rajasthan
Vidhansabha Nirwachan 2023, Vidhansabha Bayana (076),
District- Bharatpur (Rajasthan)- 321401

----Respondents

For Petitioner(s)	:	Mr. D.K. Dixit for Mr. A.K. Bajpai, Sr. Adv.
For Respondent(s)	:	Mr. B.C. Chirania Mr. Ravi Chirania Mr. Raj Kumar Goyal

**HON'BLE MR. JUSTICE SUDESH BANSAL****Order****06/02/2024**

1. This election petition comes up before this Court on an application dated 30.01.2024, filed by and on behalf of non-petitioner No.11, Election Officer and Sub Divisional Magistrate of Bayana, (Constituency No.76), seeking permission to enter into the strong room and to carry out physical verification of the EVMs and VVPATs of the Assembly Constituency No.76 i.e. Bayana District Bharatpur, for using them in upcoming parliamentary elections 2024.

2. In the present election petition, petitioner has challenged election for Member of Legislative Assembly, Bayana Constituency held on 03.12.2023, fundamentally on the ground that nomination forms of non-petitioners including the elected candidates were not filled with correct and complete information, rather the material and relevant information was concealed, however, returning officer accepted their nomination forms and permitted them to contest election.

3. In view of the contentious issue involved in this election petition, which has no relevance with, to retain the EVMs and VVPATs in the strong room unused, counsel for petitioner does not oppose the application filed by non-petitioner No.11.

4. This Court is also of the view that allowing the non-petitioner No.11 to enter into the strong room to verify the EVMs and VVPATs for physical verification and checking out functionaries for using them in the upcoming parliamentary elections- 2024, would



not adversely breach rights of any of parties in the present election petition.

5. In that view of the matter, the application dated 30.01.2024 filed by the non-petitioner No.11 is allowed. Non-petitioner No.11-Election Officer is permitted to open and enter into the strong room of Constituency No.76 i.e. Bayana, District Bharatpur.

6. However, it is made clear that apart from checking and using machines, any other material lying in the strong room related to Legislative Assembly Election- 2023 in that Constituency shall be kept intact and the Inventory of same shall be prepared and kept safe by the non-petitioner No.11-Election Officer.

7. List this petition on 04.03.2024.

(SUDESH BANSAL), J