

(2015) 01 RAJ CK 0274

In the Rajasthan High Court

Case No : Civil Writ Petition Nos. 758 and Civil Misc. Stay Application No. 646 of 2015

Seema Gurjar and Others

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 16-01-2015

Acts Referred:

Citation : (2015) 3 CDR 1228

Hon'ble Judges : Mohammad Rafiq, J

Bench : Single Bench

Advocate : Anoop Dhand, for the Appellant

Final Decision : Disposed off

Judgement

Mohammad Rafiq, J—This writ petition has been filed by the petitioners with the prayer that the respondents be directed to include names of the petitioners in the supplementary electoral rolls/voter list of Village Dhani Rudh Ki, Tan Kishorepura, Panchayat Samiti Patan, Tehsil Neem Ka Thana, District Sikar. It is contended that Petitioner No. 2 contested last Gram Panchayat elections and this time Petitioner No. 1 wants to contest the election, but names of the petitioners have been deliberately excluded/deleted from the voter list at the instance of their political rivals. The petitioners approached Sub Divisional Officer, Neem Ka Thana, District Sikar as also the District Collector, Sikar, but no steps have been taken. It is contended that election notification for the post of Sarpanch and Upsarpanch is going to be issued tomorrow, i.e. 17.01.2015, therefore, respondents be directed to add names of the petitioners in the voter list of Village Dhani Rudh Ki, Tan Kishorepura, Panchayat Samiti Patan, Tehsil Neem Ka Thana, District Sikar.

2. In any case, this Court, at this point of time, cannot issue any direction because Rule 21-A of the Rajasthan Panchayat Raj (Elections) Rules, 1994 specifically bars any amendment/transposition or omission in the voter list after notification of election has been issued under Rule 23 or 58 of the Rules and

further provides that as far as possible, no such order under Rule 20 or 21 of the Rules for inclusion of new names shall be issued.

3. In that view of the matter, the prayer of the petitioners cannot be granted. However, it is directed that subsequent to completion of process of election, the petitioners would be entitled to approach the respondent-Sub Divisional Officer/ Electoral Registration Officer concerned for addition of their names in the voter list of Village Dhani Rudh Ki, Tan Kishorepura, Panchayat Samiti Patan, Tehsil Neem Ka Thana, District Sikar. With the aforesaid observation, writ petition is disposed of. Stay application also stands disposed of.