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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE VIVEK AGARWAL
ON THE 8th OF NOVEMBER, 2023
WRIT PETITION No. 15558 of 2022**

BETWEEN:-

RAJABETI YADAV

.....PETITIONER

(BY SHRI ANIL LALA - ADVOCATE)

AND

1. THE M.P. STATE ELECTION COMMISSION THROUGH THE SECRETARY BHOPAL (MADHYA PRADESH)
2. SUBHASH KUMAR DWIVEDI,
3. C.P. PATEL, S.D.M./RETURNING OFFICER
4. HEERALAL RAJPUT, POLLING OFFICER POLLING

.....RESPONDENTS

***(BY SHRI SIDDHARTH SETH - ADVOCATE FOR RESPONDENT NO.1-
ELECTION COMMISSION)***

(BY SHRI SANJAY SARWATE - ADVOCATE FOR THE INTERVENOR)

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*This petition coming on for admission this day, the court passed the
following:*

ORDER

Shri Abhishek Singh, Secretary, M.P. State Election Commission is present in person before this Court.

Shri Siddharth Seth, learned counsel respondent No.1, has made a statement across the bar that election commission had appointed a team under two observers to verify the irregularities as have been alleged by the petitioner in conduct of election for the post of Sarpanch for Polling Booth No.145, Gram Panchayat Bamhori Madia, Distt. Tikamgarh.

2. It is fairly submitted that the team under the observers found irregularities in the election process and a report was submitted to the Commissioner who has, in turn, approved it, therefore, election commission has taken a conscious decision to conduct re-election for the post of Sarpanch for Polling Booth No.145, Gram Panchayat Bamhori Madia, Distt. Tikamgarh. In view of such statement given by Shri Siddharth Seth, learned counsel for respondent No.1- M.P. State Election Commission, nothing survives for adjudication in this petition.

3. Accordingly, this petition is disposed of in terms of the undertaking furnished by Shri Siddharth Seth, learned counsel for the Election Commission that they will be taking steps to conduct election for the post of Sarpanch for Polling Booth No.145, Gram Panchayat Bamhori Madia, Distt. Tikamgarh within a period of 60 days from today. In view of such undertaking, respondents are at liberty to conduct the election for Polling Booth No.145, Gram Panchayat Bamhori Madia, Distt. Tikamgarh within a period of 60 days.

4. It is now disolument duty of the Court to direct the Commission to take strong disciplinary action against all the delinquent erring officials and ensure that they are never deputed for election work in future. Strong disciplinary

action taken against delinquents be also brought on record by filing the report before the Registry of this Court within the aforesaid period of 60 days.

5. In above terms, this petition is disposed of.

(VIVEK AGARWAL)
JUDGE

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