

W.P.(C) No.15621 of 2013

02. 31.07.2013

Heard learned counsel for the parties.

This writ petition has been filed challenging the order dated 10.04.2013, passed by the Addl. Civil Judge (Junior Division), G. Udayagiri, in Election Petition No.01 of 2012, dismissing the application of the petitioner filed under Order 14 Rule 2 C.P.C.

On a perusal of the impugned order it is seen that the evidence of the election petitioner has already been recorded and hearing is continuing and accordingly learned Trial Court has come to find that the preliminary issue regarding maintainability of the election petition involves disputed questions of facts, which can be decided along with other issues.

Considering the submissions made and keeping in view the fact that recording of evidence of the election petitioner has already been recorded and hearing of the matter is continuing, I do not find any justification to interfere with the impugned order of the learned Trial Court at this stage.

Learned Trial Court is directed to expedite the hearing of the case and complete the hearing, as expeditiously as possible, preferably within a period of two months hence.

W.P.(C) is accordingly disposed of.

Issue urgent certified copy as per rules.

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S.C. Parija, J.

Misc. Case No.16197 of 2013

03. 31.07.2013

In view of the disposal of the writ petition, no order is required to be passed.

Misc. Case is accordingly disposed of.

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S.C. Parija, J.

