

Hon'ble Sudhanshu Dhulia, J.

Mr. Deep Chandra Joshi, Advocate, for the petitioner.

Mr. Anurag Bisaria, Standing Counsel, for the State of Uttarakhand/respondent nos.1, 3 & 4.

Mr. Sanjay Bhatt, Advocate, for the respondent nos.2 & 5.

The petitioner before this Court wants to contest the ongoing election for the local bodies. The nomination paper of the petitioner has been rejected on ground that she has more than two children. According to the petitioner, she had submitted before the Returning Officer that she has no issues from her wedlock, however, without hearing the petitioner her nomination paper has been rejected. Aggrieved the petitioner has filed the present writ petition before this Court.

This can be a ground for the petitioner to challenge the same in an election petition, but since the elections have already been notified, no interference is liable to be made by this Court as that would amount to interference in the ongoing election process. This is more so in view of the seminal decision of the Hon'ble Apex Court in the case of *Mohinder Singh Gill & another Vs The Chief Election Commissioner, New Delhi & others* reported in *1978 (1) SCC 405*, where it has been held that at the stage where the election process has been set in motion, no interference is liable to be made by the Court.

Consequently, the writ petition stands dismissed in limine.

(Sudhanshu Dhulia, J.)

30.09.2019