

**Hon'ble Sudhanshu Dhulia, J.**

Mr. Manoj Bhatt, Advocate, for the petitioner.

Mr. Anurag Bisaria, Standing Counsel, for the State of Uttarakhand/respondent nos.1, 2 & 4

Mr. Sanjay Bhatt, Advocate, for the respondent nos.3 & 5.

The petitioner before this Court wants to contest the ongoing election for the local bodies. The nomination of the petitioner has been rejected on ground that she is having more than two children. According to the petitioner, though she has three children but all of them were born prior to cut off date i.e. 25.07.2019 and therefore the nomination paper of the petitioner has wrongly 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