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WP-14957-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 8th OF MAY, 2025WRIT PETITION No. 14957 of 2025*A.K. SINGH**Versus**CHIEF ELECTION COMMISSIONER AND OTHERS*

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Appearance:

Shri Amit Kumar Singh - Advocate for the Petitioner.

*Shri Siddharth Seth - Advocate for the Respondent No.2 on behalf of
Deputy Solicitor General.*

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ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

The instant petition has been filed seeking the following reliefs:-

*"1. To issue a writ of certiorari to set-aside the order
impugned date 28.03.2025 passed by the respondent no.2.*

*2. To issue a writ of mandamus directing the
respondent no.1 to take action over the complaint filed by
the petitioner dated 19.03.2025 and pass a appropriate order
taking action against the private respondent no.5 in a
timebound manner.*

*3. To issue a writ of mandamus to direct the
respondent authorities to scrutinize the election process of
the respondent no. 5.*



4. Any other suitable relief deemed fit in the facts and circumstances of the case may also kindly be granted together with the cost of this Petition."

2. Learned counsel appearing on behalf of the petitioner submits that on the complaint dated 19.03.2025 Annexure P-5, the Election Commissioner had passed the Order however, he has not considered the allegations made in the said complaint.

3. On perusal of the impugned Order, we are satisfied with the submission of learned counsel for the petitioner, though opposed by learned counsel for the respondent on the ground that there may be some proceedings pending before the Commission and seeks time to verify whether some proceedings are pending.

4. We hereby **dispose off** the present petition by setting aside the Order dated 28.03.2025 and issue directions to the Election Commission to pass a fresh Order on the complaint filed by the petitioner against the respondent by giving an opportunity of hearing to both the parties.

5. It is made clear that if any proceedings are pending against the respondent No.5, then the Election Commission may ignore the Order passed by this Court and decide in accordance with law as per procedure.

6. It is made clear that this Court has not expressed any opinion on merits of the case.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE