

Rules Relating To Election Petitions

MADHYA PRADESH

India

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Rule RULES-RELATING-TO-ELECTION-PETITIONS of 1967

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Rules Relating To Election PetitionsPublished vide Notification No. 1317-1-14-2-67, Jabalpur, dated the 21st February, 1967In exercise of the powers conferred by Article 225 of the Constitution and all other powers hereunto enabling and in modification of earlier orders issued by the Chief Justice under Section 51 of the State Re-organisation Act, 1956, the High Court of Madhya Pradesh has made the following Rules relating to Election Petitions presented under the Representation of the People Act, 1951.

1.

(a)These Rules, may be cited as the Rules relating to Election Petitions.(b)They shall come into force from the date of their publication in the Madhya Pradesh Rajpatra.

2.

Every Election Petition shall be-(a)typewritten or printed fairly and legibly on while foolscap size paper of reasonable quality, one side of the paper only being used, leaving a quarter margin on the left and at least 1-1/2 inches open space on the top and bottom of each sheet;(b)written in the English language, numbering separately the paragraphs thereof;(c)couched in proper language and in conformity with Sections 81, 82 and 83 of the Representation of the People Act, 1951.

3.

The registered address required to be filed under rules 19 and 20 of Order VII and Rule 11 of Order VIII of the Civil Procedure Code shall contain the following particulars-(i)the name of the street, lane or municipal ward and the number of the house, if any;(ii)the name of the town or village;(iii)the post office; and(iv)the tahsil and the district.

4.

Every Election Petition shall contain sufficient and clear particulars to show that it has been filed within the period of limitation prescribed by Section 81 of the Representation of the People Act, 1951.

5.

Every Election Petition shall be accompanied by a receipt signed by the Cashier of the Court that an amount of Rs. 2,000 has been deposited as security for the costs of the petition in accordance with the rules of the High Court.

6.

(1) Every Election Petition, complete in all respects, shall be presented during the Court hours to the Deputy Registrar (Judicial), at Jabalpur. (2) The name of the person presenting an Election Petition, with a description of the capacity in which he is presenting it, the date and hour of presentation and any other particulars considered necessary shall be endorsed in the margin of the first page of the petition by the Deputy Registrar under his own signature. (3) The Deputy Registrar shall have the petition examined in order to find out that all the requirements of the Representation of the People Act, 1951 and these rules have been complied with. (4) The Deputy Registrar shall affix his full signature to every page of the petition and the affidavit accompanying it. (5) The Deputy Registrar, after examining the petition, shall record his opinion on the opening order-sheet in the following form- "Presented on.....by.....properly drawn up, apparently within time and properly stamped."

7.

As soon as may be after an Election Petition is presented and scrutinized as above, the Deputy Registrar shall place the same before the Chief Justice for orders under sub-section (2) of Section 80-A of the Representation of the People Act, 1951.

8.

Every Election Petition shall be registered as "Election Petition" and given a separate serial number of the year and shall be entered with complete details in a separate register maintained for the purpose.

9.

The Rules of the High Court shall apply, in so far as they are not inconsistent with the Representation of the People Act, 1951, or the rules, if any, made thereunder or the Civil Procedure Code or these Rules, in respect of all matters including processes and process fees, issuance of

orders, copies and copying fees, deposit and withdrawal of money, forms, affidavits, etc.