

ITEM NO.1 Court 5 (Video Conferencing) SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21246/2020

(Arising out of impugned final judgment and order dated 29-09-2020 in DBWMA No. 50/2020 29-09-2020 in DBCWP No. 4648/2020 29-09-2020 in DBCWP No. 4681/2020 29-09-2020 in DBCWP No. 4622/2020 29-09-2020 in DBCWP No. 4644/2020 29-09-2020 in DBCWP No. 4645/2020 29-09-2020 in DBCWP No. 4646/2020 29-09-2020 in DBCWP No. 4649/2020 29-09-2020 in DBCWP No. 4675/2020 passed by the High Court Of Judicature For Rajasthan At Jaipur)

THE STATE OF RAJASTHAN & ORS. ETC. ETC. Petitioner(s)

VERSUS

SATISH KUMAR SHARMA ETC. ETC. Respondent(s)

(FOR ADMISSION and I.R. and IA No.100740/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.100741/2020-EXEMPTION FROM FILING O.T. and IA No.100739/2020-PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN COPY OF IMPUGNED ORDER, IA No. 101918/2020 - APPLICATION FOR PERMISSION & IA No. 101921/2020 - EXEMPTION FROM FILING AFFIDAVIT)

WITH

Diary No.21604 of 2020

Date : 08-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE SANJIV KHANNA

For Parties Dr. Manish Singhvi, Sr. Adv.
Mr. Sandeep Kumar Jha, AOR

Mr. Ankit Anandraj Shah, AOR.

Mr. Shiv Mangal Sharma, Adv.
M/s. AURA & CO.

Mr. Anand Sharma, Adv.
Mr. Nishit Agrawal, AOR
Mr. Harsh Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

On a mention being made by Mr. Ankit Anandraj Shah, counsel, Diary No.21604 of 2020 is taken on board.

Permission to file special leave petition(s) is granted.

We have heard learned counsel for the State as well as the State Election Commission.

We have no hesitation in observing that the High Court has been indulgent in extending the election concerning three Municipal Corporations in question. No further indulgence need be shown. We agree with the High Court. More particularly, because it has been brought to our notice that the State Election Commission is already in the process of conducting election for Panchayat Samities. That clearly belies the stand of the State that it will not be in a position to conduct the election in respect of three Municipal Corporations, which elections were due in December, 2019. We say no more.

However, it will be open to the State Election Commission to first notify the election programme in respect of the subject Municipal

Corporations and then move the High Court for extension of time until the conclusion of the election programme, if required. That application, if filed, be considered by the High Court on its own merits.

We direct the State Election Commissioner to notify the election programme in respect of subject Corporations within one week from today and only thereafter move the High Court for extension of time, if required.

The special leave petition(s) and pending applications are disposed of accordingly.

(NEETU KHAJURIA)
COURT MASTER

(BEENA JOLLY)
COURT MASTER