

ITEM NO.1501

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 104/2020

MOHD. ABDULLAH AZAM KHAN

Appellant(s)

VERSUS

NAWAB KAZIM ALI KHAN

Respondent(s)

Date : 07-11-2022 This appeal was called on for pronouncement of Judgment today.

For Appellant(s) Mr. Kamal Mohan Gupta, AOR  
Mr. Amber Shehbaz, Adv.  
Mr. Gorakh Nath Yadav, Adv.  
Mohd. Aslam Khan, Adv.

For Respondent(s) Mr. Aadil Singh Boparai, Adv.  
Mr. Sumeer Singh Boparai, Adv.  
Mr. Harsh Andani, Adv.  
Mr. Amarjeet Singh, AOR  
  
Mr. Robin Khokhar, AOR  
  
Mr. Ashok K. Mahajan, AOR

Hon'ble Mr. Justice Ajay Rastogi pronounced the reportable Judgment of the Bench comprising His Lordship and Hon'ble Mrs. Justice B. V. Nagarathna.

The operative portion of the Judgment is reproduced hereunder :-

*"50. The High Court, in our considered view, has examined the documentary and the oral evidence available on record in extenso, we find that no manifest error was committed by the High Court in passing the impugned judgment, which may call for our interference.*

*51. Consequently, the appeal fails and is accordingly dismissed. No costs."*

Thereafter, Hon'ble Mrs. Justice B. V. Nagarathna pronounced her separate but concurring reportable Judgment.

The operative portion of the Judgment is reproduced hereunder :-

*"In view of the aforesaid discussion which has been made after taking into consideration all the material on record, I find that the acceptance of the nomination of the appellant-successful candidate was improper. The findings of the High Court in this regard do not require any interference. Hence, the judgment impugned is affirmed and consequently, the appeal is dismissed. The election of the appellant-successful candidate herein to the Uttar Pradesh Legislative Assembly from 34-Suar Constituency, District Rampur, Uttar Pradesh, is set aside. A certified copy of this decision be sent to Election Commission forthwith.*

*Parties to bear their respective costs."*

(JAYANT KUMAR ARORA)  
ASTT. REGISTRAR-cum-PS

(MONIKA DEY)  
COURT MASTER

(Two signed Reportable Judgments are placed on the file)