

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 191 OF 2020

KRISHNA NAND TRIPATHY

Appellant(s)

VERSUS

ALOK CHAURASIYA

Respondent(s)

O R D E R

As this appeal pertains to election of the respondent to the State Legislative Assembly of Jharkhand conducted in 2014 and the term having expired coupled with the fact that the ground invoked is not of corrupt practice, in our opinion, nothing survives for consideration in this appeal.

We intend to dispose of this appeal as infructuous leaving all questions of fact and law open, to be decided in the fresh election petition in respect of subsequent elections, which petition be decided on its own merits and in accordance with law.

In other words, independent evidence will have to be produced in the subsequent election petition and that will have to be analyzed and considered on its own

merits, independent of the finding of fact recorded in the impugned judgment.

As the appellant has filed another election petition against the respondent pertaining to subsequent elections, we request the High Court to dispose of the same expeditiously and more so keeping in mind the statutory mandate to dispose of an election petition within six months.

All contentions available to the parties are left open.

The appeal is disposed of accordingly.

Pending applications, if any, stand disposed of.

.....J  
(A.M. KHANWILKAR)

.....J  
(SANJIV KHANNA )

New Delhi;  
August 10, 2021.



The appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)

[Signed order is placed on the file]