

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****SPECIAL CIVIL APPLICATION NO. 21165 of 2016**

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CHAMPAKBHAI MURJIBHAI VASAVA....Petitioner(s)

Versus

STATE OF GUJARAT & 4....Respondent(s)

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Appearance:

MR DP KINARIWALA, ADVOCATE for MR JOY MATHEW, ADVOCATE for the  
Petitioner(s) No. 1

MR DHAWAN JAYSWAL, ASSISTANT GOVERNMENT PLEADER for the  
RESPONDENT(s) No. 1,3

MS ROOPAL R PATEL, ADVOCATE for the Respondent(s) No. 2,4

MR VIJAY H NANGESH, ADVOCATE for the Respondent(s) No. 5

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CORAM: **HONOURABLE MS.JUSTICE HARSHA DEVANI**  
and  
**HONOURABLE MR.JUSTICE A.S. SUPEHIA**

Date : 23/12/2016

**ORAL ORDER**  
**(PER : HONOURABLE MS.JUSTICE HARSHA DEVANI)**

1. Ms. Roopal Patel, learned advocate for the fourth respondent, under instructions of Mr. Vijaybhai Vasava, Mamlatdar and Election Officer, Jhagadia, states that after rejection of the nomination of the petitioner, the other candidate has been declared to have been elected uncontested.

2. In the light of the fact that the result of the election has already been declared, this court is not inclined to exercise discretion in favour of the petitioner, leaving it open for the petitioner to avail of the appropriate remedy by way of an election petition under the relevant provisions of the law.

3. The petition stands disposed of accordingly. Notice is discharged with no order as to costs.

(HARSHA DEVANI, J.)

(A. S. SUPEHIA, J.)

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