

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****SPECIAL CIVIL APPLICATION No. 5854 of 2012**

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**MANAJI MAFAJI THAKOR - Petitioner(s)**  
**Versus**  
**DISTRICT COLLECTOR & 4 - Respondent(s)**

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**Appearance :**

MR HR PRAJAPATI for Petitioner(s) : 1,  
MR NIRAJ ASHAR ASSTT GOVERNMENT PLEADER for Respondent(s) : 1,  
RULE SERVED for Respondent(s) : 1 - 2, 4 - 5.  
RULE UNSERVED for Respondent(s) : 3,  
MR JS YADAV for Respondent(s) : 5.

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**CORAM : HONOURABLE MR. JUSTICE D. H. WAGHELA****and****HONOURABLE MR. JUSTICE G. B. SHAH****Date : 05/07/2012****ORAL ORDER****(Per : HONOURABLE MR. JUSTICE D. H. WAGHELA)**

1. The petitioner has contested election of Borisana Village Panchayat to be elected as a member from its Ward No.8 and alleged that even though he was declared to have won on counting of votes on 14.04.2012, by switching number of votes and a mischief played by respondent No.3, the result was changed so as to show that the petitioner had obtained 124 votes as against 154 votes cast in favour of respondent No.4; and even his application for recounting of votes was rejected. Even after denial on oath of such and other charges by respondent No.3 with documentary evidence of the actual proceeding that took place at the relevant time, the petitioner had insisted upon immediate hearing and calling for the electronic voting machine for inspection in the court as he proposed to further contest the election for the post of 'Upa

