

SUPREME COURT OF INDIA

Romesh

Vs.

Ramesh K. Rana

(Dr. A Anand, S. R. Babu and R.C. Lahoti JJ.)

18.01.2000

ORDER

DR. A.S. ANAND, J.

1. The appellant was the returned candidate at the elections held to the Haryana Legislative Assembly. He was declared elected from 15 Gharaunda Constituency on 10th of May, 1996. The election of the appellant was challenged through an Election Petition filed by respondent No. 1. There were no allegations of commission of any corrupt practice. The challenge was based on alleged improper reception and/or rejection of votes. By an order dated 18th February 1999, the request of respondent No. 1 for recount of votes polled at the elections was accepted and certain directions were issued by the learned Designated Judge in the High Court of Punjab & Haryana. An order was made for recount of the votes by the learned Designated Judge under the supervision and control of the District Judge (Vigilance), Punjab. After the recount, the election of the appellant was set aside and respondent No. 1 was declared duly elected. This appeal is by the aggrieved appellant.

2. We have refrained from referring to the pleadings of the parties or the issues framed in the case because of the developments which have subsequently taken place.

3. On 14th of December, 1999, the Haryana Legislative Assembly has been dissolved. Learned Counsel for the appellant rightly submits that since there were no allegations of commission of any corrupt practice, with the dissolution of the Haryana Legislative Assembly, nothing further survives for consideration, at this point of time, insofar as this appeal is concerned. We agree. The appeal is hereby, dismissed and the same is consigned to records. No costs.