

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2051/2020

G DEVARAJEGOWDA

Appellant(s)

VERSUS

PRAJWAL REVANNA @ PRAJWAL R & ORS.

Respondent(s)

O R D E R

On hearing learned counsel for the parties, we find that the innovativeness of the argument of Mr. Mukul Rohatgi, learned senior counsel is not reflected in the application filed by the respondent and undisputedly election law being technical in nature, we cannot take an expansive view of the pleadings while considering the defects. This, we clarify, in no way takes away from the right of the respondent to raise all the defences in the election petition but the only question before us was whether it can be knocked out at the threshold.

In view of the aforesaid reasoning as well as our judgment in Civil Appeal No.1774/2020 titled "*A. Manju v. Prajwal Revanna @ Prajwal R & Ors.*" dated 13th December, 2021 relating to the same elected candidate/respondent, we set aside the impugned judgment and remit the matter back to be tried along with other petition as aforesaid leaving all defences open to the respondent expeditiously.

The appeal is allowed in the aforesaid terms.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[M.M. SUNDRESH]

NEW DELHI,
FEBRUARY 15, 2022.

ITEM NO.6

COURT NO.6

SECTION IV-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). 2051/2020

G DEVARAJEGOWDA

Appellant(s)

VERSUS

PRAJWAL REVANNA @ PRAJWAL R & ORS.

Respondent(s)

Date : 15-02-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Ms. Pramila Nesargi, Sr. Adv.
 Mr. Balaji Srinivasan, AOR
 Mr. Mohammed Shahrukh, Adv.
 Ms. Garima Jain, Adv.
 Ms. Pallavi Sengupta, Adv.
 Ms. Aakriti Priya, Adv.
 Ms. Garima Jain, Adv.
 Ms. Lakshmi Rao, Adv.
 Mr. Prateek Yadav, Adv.

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
 Mr. K. Parameshwar, AOR
 Ms. S. Sregurupriya, Adv.
 Mr. Prasad Hegde, Adv.

Mr. M.R. Vijay Kumar, Adv.
Mr. Ashok Bannidinni, AOR
Mr. Sunil M.V., Adv.
Mr. Aviral Chandra, Adv.
Mr. Sujeet Kumar, Adv.
Mr. Anshuman Nayak, Adv.
Mr. Subhranshu Dash, Adv.

Ms. E. R. Sumathy, AOR

Mr. D. L. Chidananda, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

[Signed order is placed on the file]

(POONAM VAID)
COURT MASTER (NSH)