

Simon Leen Dsouza Vs State Of Karnataka & Ors

Court: Karnataka High Court, Dharwad Bench

Date of Decision: Jan. 30, 2025

Hon'ble Judges: M. Nagaprasanna, J

Bench: Single Bench

Advocate: D. J. Naik, Kirtilata R. Patil

Judgement

M. Nagaprasanna, J

1. The petitioner is before this Court seeking the following prayer:

A. Issue a writ of certiorary set aside the order passed by the R-5 vide Annexure-D.

B. Issue a writ of appropriate nature of mandamus directing the R-5 to consider the vide Annexure-A same by allowing the above writ

petition, in the interest of justice.

C. Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case, including costs, in the interest of

justice and equity.

2. Learned counsel for the petitioner would restrict his prayer for a direction to consider the representation that he has submitted in terms of

Annexure-C. It is the case of the petitioner that, his nomination has been rejected erroneously and therefore, before the date of the election his

representation needs to be considered.

3. In the light of the circumstance, I deem it appropriate to direct respondents to consider the representation of the petitioner as founded in Annexure-

C.

4. Learned counsel would submit that what has been considered and rejected on 26.01.2025 is the nomination filed as a Category-B and the present

representation is preferred seeking to consider the nomination of the petitioner that is filed in General Category. Therefore, the respondents shall

consider the representation of the petitioner and pass necessary orders in accordance with law before the date of the election. The impugned

endorsement stands undisturbed.

Ordered accordingly