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through additional information specifically to help the other party understand the events that need to be met. Merely quoting the words in sections such as showing a work does not make a statement of material facts. Material facts will also be included as positive statements of negative facts, if necessary. V. S. Achutanam vs. P. J. Francis and Anr. [11 1999] 2 SC 347 = (1999) 3 SC 737, this court has held the on conclusion of a series of decisions of this court, these preliminary facts that must be demonstrated in the trial by the parties to establish the cause of action. Not acknowledging grave facts is fatal to an election petition, and it is not permitted to introduce such important facts after the time limit set when submitting an election petition. 19. HE ALSO PLACED A STRONG RELIANCE ON THE DECISIONS REPORTED IN DHARTIPAKAR MADAL AL AGARWAL V RAJIV GANDHI 6, HELD ACCORDINGLY (FARAH FARAH Before considering the various paras of election petitions to determine the accuracy of high court orders, we believe we should keep in mind the right to elect, elected, disputed elections, and the trial of election commissioners. The right to contest an election or question an election through an election petition is not common law or fundamental rights, but instead a legal right regulated by the statutory provisions of the People's Representative Act 1951. There is no basic or common law in this matter. This is well settled by the court's Chief decision in N. P. Ponnuswamy v. Returning Officer 1952 SCR218. (AIR 1952 SC 14), Jagannas v. Jawsand Singh AIR 1954 SC 210, Yoti Basu v. Debbie Ghosh (1982) 318 these decisions resolved the legal position that there is no right to contest elections outside of court provisions. Representation of the National Law is a complete and independent code that must seek all rights claimed in connection with an election or electoral dispute. The provisions of the Civil Procedure Act are applicable within the scope of the S. 87 Act. Article 93 Paragraph 100 states in the Electoral Commission a mandatory clause that contains concise statements of facts of great substance and states all details of corrupt conduct. The plea is regulated by S. 83 and must provide election petitioners with exactly the essentials, details and facts of each corrupt act. If the election petition fails to make full use of the 100 of the Act, it must fail at the threshold. Allegations of corruption are in the nature of criminal charges, and there should be no ambiguity that the returned candidate knew events that he or she did. If the allegations are vague and common, and if the details of the corruption act are not specified in the plea, the election petition trial cannot proceed for the cause of action. The emphasis of the law is to avoid fishing and roving inquiries. Therefore, it is necessary for the court to strictly scrutinize conduct related to corruption, and the election petition must contain material statements on which the petitioner depends, and if the appeal is vague and general, there is no argument against the apex court's suggestion that it does not comply adequately or sufficiently within the meaning of section 83. 1951.20. SIMILARLY, HE RELIED ON CHARAN LAL SAHU V GIANI LAL SINGH AND ANOTHER 7, ANOTHER DECISION THAT WAS HELD LIKE THIS (PARA 24): THESE ARE JUST THE PROVISIONS OF THE LAW THAT COULD BE THE ELECTION OF A RETURNING CANDIDATE. It raises the question that the candidate who serves as president has nothing to do with the purpose of the petition for this election. This court may not ask whether the returned candidate is able for the office in which he or she was elected while processing an election petition filed under the S. 14 Act. The rights that arise in an election, including the right to contest or challenge an election, are not common law rights. They are creatures of statutes that grant or limit such rights. Therefore, for all charges brought around the court, the provisions of the law on a particular election must be consulted to determine whether an election can be set aside. They must function within the framework of that law and cannot travel beyond it. The decision is not related to the purpose of determining the matter in this petition as a provision of the Law, which would give whether the election of a 1951 returned candidate is declared invalid. A key issue for the petition is whether the returned candidate is eligible to appeal as a member of the Legislative Council in the scheduled tribal primary district 21. THE DECISION RELIES ON A LEARNED COUNSEL FOR THE FIRST RESPONDER REPORTED IN MANOHAR JOSHI V NITIN BHAIURAO PATIL AND ANOTHER 8 HAVE NO APPLICATION IN TERMS OF FACTS, IF THAT CASE IS DECLARED AS INVALID SECTION 100 (1) (B) OF THE ACT 1951, BUT NOT SECTION 100 (1) OR LESS IN 1991.19.1.19. L.R. SHIVARAMAGOWDA AND OTHER VTS. M.CHANDRASEKHAR (DEAD) LRS AND OTHER 9, KAMALNATH V SUDESH VERMA 10 AND HARMOHINDER SINGH PRADHAN V RANJEET SINGH TALWADI AND OTHER DECISIONS RELIED ON BY LEARNED COUNSEL FOR THE FIRST RESPONDER IN 11 HAVE NO APPLICATION BECAUSE OF THE ELECTORAL CHALLENGE IN 2 TO 3 CASES. He also relied on the decision reported in JABAR SINGH V GENDRA LAL 12, which was not based on the fact that, as a result, the election of candidates returned in favor of appellate and appropriate rejection of election petitions was unfairly rejected.24. With the principle of decency in mind in this decision, we should look at whether the election petition contains material facts so that the election respondent's election can be declared invalid and declared elected. It belongs to the Banzara tribe, which was not included in the scheduled community list included in the 1950 Constitution (lack of schedule) order. Originally, the parents of the first responders hail from the village of Laor Thanda, Kinwar Taluk, in the Nand district of Maharashtra state. It is indisputable that the parents of primary respondents belong to the Banzara tribe. As you can see in Ex.P2, as far as maharashtra is said, the central list of the later orders will reveal the tribal community of Banzara, and half-digit appears in SI.9 as one of the other later orders. Although subject to appeal, it is a copy to dispute, but ex.P11, the original of ex.P2, did not challenge it. When P.W.1 specifically said that the lack of primary investigations was included in the ranks of other later ranks, especially when it came to the state of Maharashtra, it is not denied or controversial even under cross-examination. Similarly, the evidence of P.W.1 shows a community of 1 respondents with ex.P6 transfer certificates and 1 student registration certificate banzara of la Farhid Elementary School that will go on to show more. Similarly, the Ex.P7, named Eswar Kuwar Singh, is an admissions certificate on the student admissions register at the same school associated with the brother of the first grader. Ex.P8 relates to another brother in the primary respondent who said the primary respondent's brother community appeared to be half-ja. The Ex.P7 and P8 are subject to an object because they are photostat copies, but P.W.1 has been recalled and certified copies of Exs.P16 and P17 have been displayed. No concerns have been taken against Exs.P2, P10, and P12 and P17.25. Similarly, evidence from P.W.2 will go to show that the Banzara tribe is included in the list of later ranks in Maharashtra state, that he belongs to the Banzara tribe and that his ancestors and the families of first-degree respondents are related. He also revealed that the first responders belonged to the Banzara tribe, practically, and the evidence of P.W.2 did not challenge. Nothing was induced to discredit his evidence except for an omnibus suggestion from the chief prosecutor that his evidence was inaccurate.26. Similarly, P.W.3, who brought the entrance registration form for the village of Laor Thanda and the school's senior master of la Farhid Elementary School, made it clear that he had issued an Ex.P15 and had ties to Sindhu Tai Kuwarsing Chauhan. According to records, the community of students told Banzara is recorded. He also issued an Ex.P16 for Chauhan Eswar Kuwar Singh other than the brother of one respondent. His community is called Banzara. Similarly, Ex.P17 is associated with another brother in the primary respondent. It is indiscernible that Chauhan Eswar Kuwar Singh and Chauhan Prakash Kuwar Singh are the brothers of the primary respondents. Evidence from P.W.3 and a recital on P17 showed that the first responder's counsel did not report the cross.27. Even first responders who were tested with R.W.1 acknowledged that she was born to parents of the Banzara tribe in the village of Laor Tada, Maharashtra. Despite cross-examination, she acknowledged that her father's community was semi-man-Ex.P7 and that P8 was related to her brother.28. So, from the above evidence, it is established that all reasonable doubt that the parents Respondents belong to the Banzara tribe and are included in a central list of other later ranks when it concerns maharashtra state. It is also clear from the record that the Banzara Tribe Constitution (the intended tribe) is not included as one of the tribes in the order not argued before this court, in 1950 in relation to the state of Maharashtra. 29. There can be no argument that the primary or basic facts should be destroyed so that the election declaration of the minister of resources can be annulled. As seen in the election petition, a specific plea has been made that the first respondent belonged to the Banzara tribe, her parents came from the town of Laor Thanda, Kinwar Taluk, Nand District Maharashtra State, and she grew up in Maharashtra until her marriage, with the parents of one respondent belonging to the Banzara tribe, which belongs to another Macara. In addition, the husband of a primary respondent belonging to the Lambada tribe included in the schedule is particularly recognized under the 1976 Schedule Rank and Schedule Order (Revision) Act. It also specifically states that as far as State of Andhra Pradesh is concerning, for the purposes of the Constitution, the first responders do not belong to the schedule tribe. It is not specifically stated that the 2002 Banzara tribe is included in Section 29 of the Act under the Schedule Caste and Schedule Shortage Order Act (Amendments) under Article 10 of 2003. Since the schedule of the Constitution (scheduled tribal) order included banzara trifitan, amendments that came into force in 2003 may be filed at any time. The non-petitioning of an election cannot be called a lack of material facts to throw out a petitioner's case.30. Meanwhile, a positive case was set by Andhra Pradesh, the shortage-in-1950 statement that the Banzara tribe was included in the Constitution (scheduled tribal) order. It can be found that a member of the Banzara tribe in Andhra Pradesh can be treated with the scheduled tribe w.e.e.f. 07-01-2003, is a member of the Banzara tribe residing in Andhra Pradesh state, and belongs to the 100-week schedule in relation to Andhra Pradesh state. She has the right to contest in prospective legislative congressional districts for her scheduled shortfall. Also she 006 Kanapur (S.T.) generally stated that you have become a resident of. Districts under Section 20 of the 1950 Act and the provision that electoral authorities registered their names as electoral electors. He is also stated to have participated in the election. exercised her vote. Being an elector and a member of a scheduled tribe under Andhra Pradesh, she contested the sector's elections in the late 2008 and 2009 general elections, so she was certified as a return candidate in the constituency. These aspects were specifically testified to by the returning candidate, R.W.1, who also submitted certified copies of Ex.R2, a voter list in the town of Tadhathor in 1983 and 1995, and Ex.R3, an authorized copy of the same town's 1963 voter list. Ex.R4 is a certified copy of the 1998 voter list of the same town. Ex.R5 is a certified copy of the extraction of the 1995 voter list. Ex.R6 is a voter list of Unoor.50 in 2009 in this document combined with evidence of R.W.1, it is clear that she is a registered voter of Kanpur (S.T.) 31. The defense attorney's argument against the primary defendant is that the electoral commission was set out under Article 93 in 1951 and was not verified in the manner prescribed by the CPC during the verification process of the petition. As the election petition shows, the verification records: 1. Ajaameer Hari Naik, s/o Fakar Das Naik, Occulturist, about 43 years, R/o Ringapur Village and Post, Dandepalli Mandal, Adilabad District declares by this that the facts referred to in paragraphs 1 are the best of my knowledge, the content mentioned in paragraphs 2 and 6 is accurate to the best of my information and the content mentioned in paragraphs 3 to 7 and 12 is based on legal advice and therefore the same confirmation on 29th and Hydra 29th 1992. Order VI Rule 15 reads as follows: 15. (1) Where otherwise enforced under current law, all pleas shall be confirmed at his or her feet by the parties or by parties proved by the parties or other parties who have demonstrated knowledge of the facts of the court.2) The confirmer shall acknowledge the facts of the case.2) The numbered paragraph of the plea, confirming his or her knowledge and confirming the information he has received and confirming his or her facts.3) The verification shall specify the place where the person making it is signed and signed. The purpose of these provisions is to cement party verification that they are responsible for the statements they contain, and to ensure that the parties have full knowledge of the statements of facts set forth in the plea. This section prevents false claims from being made unopposed or willful. These claims are verified with due care. Sub-Rule 2 of order VI CPC Rule 15 provides the parties, in all cases, of verification of pleas You must state what facts he is checking for his personal knowledge and what facts he believes to be true. Verification of pleas is a matter of great significance or importance in owning a fortress made under the sanctions of a solemn declaration. Therefore, anyone who makes a false check will be responsible for prosecution if the act or omission is punished. Defect verification is not just illegal, it's just denied. If the defect is not displayed, it can be treated. Dismissing a complaint or petition on the ground is not so deadly. The new Sub-Rule 4 is added by the Civil Procedure (Amendment) Act, which took effect in 1999, which took effect in 1992 and requires a person to confirm the plea to submit an affidavit supporting his plea. That affidavit was filed with the petition. 33. According to the learned recommendations of the first respondent, it is believed that the statement of counsel is not included except to state that the content referred to in paragraphs 1 is best for his knowledge, based on his or her full-fledged advice of the contents referred to in paragraphs 2 and 3. No doubt, the verification affidavit does not contain the same pleas that were lost on the election petition, but in this court's considered opinion, it is only a duplicate or unnecessary repetition in the affidavit. Since the affidavit is part of the petition, there is no reason to repeat the plea again in the affidavit. Therefore, the verification of the petition is not in accordance with the way provided by the CPC. Despite the insertion of the new rules, it does not put down that the contents of the petition must be re-incorporated into the affidavit. Because in verification, the petitioner stated clearly that certain paragraphs are based on his knowledge and the other paragraphs are accurate to the best of other paragraphs based on his information and legal advice. It does not conform to ORDER VI Rule 15 of the CPC as stated in The Best Of My Information. According to the senior advocates' primary respondent verification was about stating true the personal knowledge and how he received the best verification of his information. Order VI Rule 15 CPC provides that the confirmer confirms the information he receives and believes to be true, with reference to a number paragraph pleading for the confirmer to verify his knowledge. Therefore, ORDER VI is compliant within the meaning of Rule 15 CPC. 34. 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The Affidavit requires the provisions (3) of Paragraph 3 of the General Provisions Act of 1897 to include affirmations and declarations in the case of persons under law so that they can affirm or declare instead of profanity. Thus, the essential component of an affidavit is that in an unreasonable relationship to a subject or declaration to add sanctity to it, he swears or affirms the truth of statements made in the presence of a person authorized to administer oaths or accept affirmations. Verification of affidavits is necessary to allow the court to test the veracity and authenticity of the view so that it can act safely in these affidavits. Sub-Rule 1 in Rule 3 declares what should be included in the statement. It is necessary to state such facts in an affidavit within his knowledge that he can prove it. Order XVIII Rule 4 of the Revised Amendments Act 2002 indicates that the evidence (the chief prosecutor of the witness) is a cross-examination statement before the court or a court-appointed commissioner. 35. The learning counsel for the petitioner stated that certain model forms added to Appendix E in Appendix E in the form of Form 16-A (Order XXI Rule 41(2) of the CPC; the form I... Of, the status in the oath/solemn affirmation is as follows... Similarly Appendix B Form 11 CPC shows: Theaffidavit... Son of... Make an oath/affirmation and swear/affirm at the end of the affidavit. IN RESPONSE, THE COUNSEL FOR THE FIRST ANSWER WAS HELD THIS WAY, RELYING ON THE DECISION REPORTED IN JEET MOHINDER SINGH V HARMINDER SINGH JASSI 13 (PARA 51): HERE ISSELF, ACCORDING TO AN AFFIDAVIT SUPPORTING THE ELECTION PETITION. The win-made in sub-para (a) and (b) and (e) para 10 is stated to be faithful to the appellant's personal knowledge while the contents of ivory para (d), (f) and (g) are based on information received from the primary defendant. It is that the electoral commission was set out under Article 93 in 1951 and was not verified in the manner prescribed by the CPC during the verification process of the petition. As the election petition shows, the verification records: 1. Ajaameer Hari Naik, s/o Fakar Das Naik, Occulturist, about 43 years, R/o Ringapur Village and Post, Dandepalli Mandal, Adilabad District declares by this that the facts referred to in paragraphs 1 are the best of my knowledge, the content mentioned in paragraphs 2 and 6 is accurate to the best of my information and the content mentioned in paragraphs 3 to 7 and 12 is based on legal advice and therefore the same confirmation on 29th and Hydra 29th 1992. Order VI Rule 15 reads as follows: 15. 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The Affidavit requires the provisions (3) of Paragraph 3 of the General Provisions Act of 1897 to include affirmations and declarations in the case of persons under law so that they can affirm or declare instead of profanity. Thus, the essential component of an affidavit is that in an unreasonable relationship to a subject or declaration to add sanctity to it, he swears or affirms the truth of statements made in the presence of a person authorized to administer oaths or accept affirmations. Verification of affidavits is necessary to allow the court to test the veracity and authenticity of the view so that it can act safely in these affidavits. Sub-Rule 1 in Rule 3 declares what should be included in the statement. It is necessary to state such facts in an affidavit within his knowledge that he can prove it. Order XVIII Rule 4 of the Revised Amendments Act 2002 indicates that the evidence (the chief prosecutor of the witness) is a cross-examination statement before the court or a court-appointed commissioner. 35. The learning counsel for the petitioner stated that certain model forms added to Appendix E in Appendix E in the form of Form 16-A (Order XXI Rule 41(2) of the CPC; the form I... Of, the status in the oath/solemn affirmation is as follows... Similarly Appendix B Form 11 CPC shows: Theaffidavit... Son of... Make an oath/affirmation and swear/affirm at the end of the affidavit. IN RESPONSE, THE COUNSEL FOR THE FIRST ANSWER WAS HELD THIS WAY, RELYING ON THE DECISION REPORTED IN JEET MOHINDER SINGH V HARMINDER SINGH JASSI 13 (PARA 51): HERE ISSELF, ACCORDING TO AN AFFIDAVIT SUPPORTING THE ELECTION PETITION. 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(1) Where otherwise enforced under current law, all pleas shall be confirmed at his or her feet by the parties or by parties proved by the parties or other parties who have demonstrated knowledge of the facts of the court.2) The confirmer shall acknowledge the facts of the case.2) The numbered paragraph of the plea, confirming his or her knowledge and confirming the information he has received and confirming his or her facts.3) The verification shall specify the place where the person making it is signed and signed. The purpose of these provisions is to cement party verification that they are responsible for the statements they contain, and to ensure that the parties have full knowledge of the statements of facts set forth in the plea. This section prevents false claims from being made unopposed or willful. These claims are verified with due care. Sub-Rule 2 of order VI CPC Rule 15 provides the parties, in all cases, of verification of pleas You must state what facts he is checking for his personal knowledge and what facts he believes to be true. Verification of pleas is a matter of great significance or importance in owning a fortress made under the sanctions of a solemn declaration. Therefore, anyone who makes a false check will be responsible for prosecution if the act or omission is punished. Defect verification is not just illegal, it's just denied. If the defect is not displayed, it can be treated. Dismissing a complaint or petition on the ground is not so deadly. The new Sub-Rule 4 is added by the Civil Procedure (Amendment) Act, which took effect in 1999, which took effect in 1992 and requires a person to confirm the plea to submit an affidavit supporting his plea. That affidavit was filed with the petition. 33. 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