

ಕರ್ನಾಟಕ ವಿಧಾನ ಸಭೆ, ಸಂಶೋಧನಾ ಹಾಗೂ ಉಲ್ಲೇಖನಾ ಶಾಖೆ
KARNATAKA LEGISLATIVE ASSEMBLY, RESEARCH AND REFERENCE BRANCH

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Court matter

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**MLC polls: HC bins
plea challenging
vote count
deferment**

^{6/11/20}
BENGALURU, DHNS: The Karnataka High Court has disposed of a PIL challenging the postponement of counting of votes for the recently held elections to the Members of Legislative Council (MLC) from teachers and graduates' constituencies.

A division bench, headed by Chief Justice Abhay Shreeniwas Oka and Justice S Vishwajit Shetty, was hearing a PIL filed by News India Voters Forum. The petition contended that the counting of votes is the prerogative of the returning officer and the Election Commission has not assigned any reasons for postponing the counting from November 2 to November 10.

The court said that the power of superintendence, direction and control of the elections is vested in the Election Commission as per Article 324 of the Constitution. The bench also said that even under Section 30 of the Representation of Peoples Act, the Election Commission has the power to decide on the process of election. The bench disposed of the petition observing that no prejudice is caused due to the postponement of the counting by a period of eight days.

The petitioner has also prayed for a direction to provide adequate security at the place where the ballot boxes are kept.

The bench perused the affidavits filed by the joint chief electoral officer on behalf of the commission.