

**HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR**

EP No. 01/2015

Anayat Ali

.....Petitioner (s)

Through: Mr. Jahangir Iqbal Ganai, Sr. Advocate

V/s

Election Commission of India and others

.....Respondent(s)

Through: Mr. S. A Makroo, Advocate for R-1

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE

ORDER

Petitioner has challenged the election of respondent No. 5 as a Member of Jammu and Kashmir Legislative Assembly from Kargil Constituency No. 49. He has prayed for setting aside of the same with a further declaration, that he be declared as an elected candidate.

It is submitted that this petition be dismissed as it has become infructuous with the afflux of time and in view of the changed circumstances, i.e. abrogation of Article 370 and creation of Jammu and Kashmir as Union Territory besides Ladakh. Learned counsel for the petitioner also admits the same.

With the dissolution of Jammu and Kashmir Legislative Assembly, the relief claimed by the petitioner cannot be granted, assuming that the issue of office of profit is decided either way that will not help the petitioner, so there is no need to decide the issue. This petition has thus been rendered infructuous and is, accordingly, dismissed.

**(Sindhu Sharma)
Judge**

Srinagar
27.04.2020
SUNIL-II

Whether the order is speaking:	Yes
Whether the order is reportable:	Yes/No