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committed contrary to the orders, and without consent, of the candidate or his election or his election agent;

- (b) That the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election; and
 - (c) That in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents; then the District Judge may decide that the election of the returned candidate is not void –
128. Grounds on which a candidate other than the returned candidate may be declared to have been elected : If any person who has lodged a petition has, in addition, to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the District Judge is of opinion –
- (a) that in fact the petitioner or such other candidate received a majority of the total valid votes; or
 - (b) that but for the votes obtained by the returned candidate by corrupt practices, the petitioner or such other candidate would have obtained a majority of the valid votes; the District Judge shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.
129. Procedure in case of equality of votes : If during the trial of an election petition it appears that there is an equality of votes between any candidates at the election and that the addition of a vote would entitle any of those candidate to be declared elected, then –
- (a) any decision made by the returning officer under the provisions of the Regulation and these rules shall, in so far as it determines the question between those candidates, be effective also for the purposes of the petition; and
 - (b) in so far as that question is not determined by such a decision, the District Judge shall decide between them by lot and proceed as if the one on whom the lot then falls had received an additional vote.
130. Withdrawal of election petitions :
- 1. An election petition may be withdrawn only by leave of the District Court.
 - 2. Where an application for withdrawal is made under sub-rule (1), notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the Official Gazette.
131. Procedure for withdrawal of election petitions : .
- 1. If there are more petitioner than one, no application to withdraw an election petition shall be made except with the consent of all the petitioners.
 - 2. No application for withdrawal shall be granted if, in the opinion of the District Judge, such application has been induced by any bargain or consideration which ought not to be allowed.
 - 3. If the application is granted –
 - a) the petitioner shall be ordered to pay the costs of the respondents thereto fore incurred or such portion thereof as the District Judge may think fit;
 - b) the District Judge shall direct that the notice of withdrawal shall be published in the Official Gazette and in such other manner as he may specify and thereupon the notice shall be published accordingly;