

(233)

- (ii) If the District Judge finds that the election of any person was invalid he shall either -
    - (a) declare a casual vacancy to have arisen, or
    - (b) declare another candidate to have been duly elected, whichever course appears in the particular circumstances of the case, to be more appropriate, and in either case the District Judge may award costs at his discretion.
  - (iii) In the event of District Judge declaring a casual vacancy to have arisen, he shall direct the Election Commission to take proceedings for filling the vacancy.
136. (i) Notwithstanding anything contained in section 134 if the District Judge, in the course of hearing an election petition, is of the opinion that the evidence discloses that corrupt practices at the election proceedings in question, have prevailed to such an extent as to render it advisable to set aside the whole of the election proceedings, he shall pass a conditional order to this effect and give notice thereof to every candidate declared elected who has not already been made a party to the case, calling upon such candidate to show cause why such conditional order should not be made final.
- (ii) Thereupon every such candidate may appear and show cause, and may recall for the purpose of putting question to him, any witness who had appeared in the case.
137. The District Judge may declare any candidate found to have committed any corrupt practice to be ineligible for being a member of Village General Body or for contesting an election under this Regulation or for being appointed or retained in any office or place in the Government or any local authority or for being registered as a member of any Village General Body for such period not exceeding five years as the District Judge may determine.
138. (i) Notwithstanding anything contained in this Regulation, the validity of any law relating to delimitation of constituencies or allotment of seats to such constituencies made or purporting to be made under this Regulation shall not be called in question in any court.
- (ii) Save as otherwise provided in section 133, 134, 135, 136 and 137 no civil court shall have jurisdiction to question the legality or validity of any action taken or decision given by the Election Commission or the Chief Secretary or the Deputy Commissioner in connection with the conduct of election under this Regulation. .
139. The Assistant Commissioner in the case of Village Council and Deputy Commissioner in the case of Island Council and District Council may authorize any of his officers to enter in and inspect or cause to be entered and inspected any immovable property occupied by any Village Council or Island Council or District Council or any work in progress under the direction of such Village Council, Island Council or District Council the case may be.