

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No. 6158 of 2014 (O&M)
Date of decision: 18.12.2015

Amarjit Kaur

... Petitioner

versus

Presiding Officer Election Tribunal Mansa and others

.... Respondents

CR No. 6159 of 2014 (O&M)

Jugraj Singh

... Petitioner

versus

Presiding Officer Election Tribunal Mansa and others

.... Respondents

CR No. 6162 of 2014 (O&M)

Labh Singh

... Petitioner

versus

Presiding Officer Election Tribunal Mansa and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. G.L. Bajaj, Advocate for respondent No. 2.

K.Kannan, J.

All the revision petitions are against a common order of the Election Tribunal directing the recount of votes and disposed of by a common order. The parties have let in evidence as regards the respective assertions contained in the petition in counter. The Returning Officer himself has been impleaded in each one of the cases. The ground for recount is *inter alia* on a fallibility shown in the manner of rejection of votes cast without setting out any reason. The Returning Officer himself has given a reply that he did not give any reason for rejection. If the law requires reason to be given for rejection of a vote

and if rejections have been made without such reasons as admitted by the Returning Officer himself, the Election Tribunal had surely adequate justification for ordering the recount.

Counsel for the petitioner has an objection that the work of recount cannot be delegated to any other officer when the power vests only with the Election Tribunal. While supporting the order passed ordering the recount, I modify the respective orders only on the aspect of delegation of the work to be done by some other officer.

Recount of votes will be done by the Election Tribunal itself and the entire recount process will also be subject to videography in the manner already directed.

The civil revision petition are disposed of with above observations.

(K.KANNAN)
JUDGE

18.12.2015

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