

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.19014 of 2015
Date of Decision: September 09, 2015

Pawan Kumar

.....Petitioner

versus

Election Commission of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Rajesh Bansal, Advocate, for the petitioner.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The petitioner contested the Haryana Legislative Assembly election from 30-Kharkhoda Constituent Assembly held on 15.10.2014. He lost the election and respondent No.6 was declared elected.

The petitioner or any other defeated candidate did not file the Election Petition in accordance with the provisions of the Representation of People Act, 1951. Instead, the instant writ petition has been filed after about one year of the election seeking declaration that the petitioner is the duly elected candidate from 30-Kharkhoda Constituent Assembly as respondent No.6 had adopted various 'corrupt practices' and

election result in his favour is liable to be annulled.

In our considered view, the writ petition is clearly an abuse of the process of law. The remedy, if any, available to the petitioner was by way of an Election Petition which he failed to avail.

Dismissed.

[SURYA KANT]
JUDGE

September 09, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE