

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.20272 of 2015
Date of Decision: September 23, 2015

Poonam Rani

.....Petitioner

versus

State Election Commission, Haryana and othersRespondents

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

Present: Mr.Jasbir Mor, 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 seeks a mandamus to direct the State Election Commission, Haryana and the Returning Officer-cum-Block Development and Panchayat Officer, Assandh, District Karnal to accept her nomination for the post of Sarpanch of Gram Panchayat of village Gangatheri, Block Assandh, District Karnal.

The controversy revolves around the question whether the petitioner is 'Poonam Rani' who passed her matriculation examination from the Board of School Education, Haryana, on November 08, 2004 or she is 'Nisha Devi wife of Uttam Chand' in whose favour voter I-Card (P-3) and Ration Card (P-6) have been issued?

As may be seen, the issue raised by the petitioner is essentially a question of fact which can be effectively determined only by the Civil Court through a declaratory

petition. The petitioner is accordingly relegated to the aforesaid remedy.

Having regard to the urgency involved, we would impress upon the Civil Court to decide the civil suit to be filed by the petitioner at the earliest in accordance with law.

The writ petition stands disposed of.

Dasti.

[SURYA KANT]
JUDGE

September 23, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE