

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.20292 of 2015
Date of Decision: September 23, 2015

Harpal Kaur @ Joginder KaurPetitioners

versus

State of Haryana and othersRespondents

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

Present: Mr.Sukhraj Singh Brar, 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 respondent-authorities to accept her nomination for the upcoming panchayat election of village Sukhchain, Tehsil and District Sirsa.

The controversy revolves around the question whether the petitioner is 'Joginder Kaur d/o Harnek Singh' who was born on 05.04.1963 and who graduated from Kurukshetra University, Kurukshetra in the year 1984-85 or she is 'Harpal Kaur daughter of Harnek Singh' as per the revenue record and the voter list?

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