

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

**CWP No.3150 of 2015 (O&M)
Decided on : 24.02.2015**

Rajesh Kumar @ Raja and another

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE SNEH PRASHAR**

PRESENT: Mr. M.L. Saggar, Sr. Advocate with
Mr. N.K. Banka, Advocate and
Mr. Sunny Saggar, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

CM No.2513 of 2015

This is an application under Section 151 C.P.C. for placing on record the C.D of the incident dated 10.02.2015 and copy of order dated 19.02.2015 as Annexures P-12 and P-13.

Notice in the application.

At the asking of the Court, Mr. P.K. Jain, Addl. A.G., Punjab, accepts notice on behalf of the State.

After hearing learned counsel for the parties and perusing the application, the documents (Annexures P-12 and P-13) are taken on record, subject to all just exceptions.

CM stands disposed of.

CWP No.3150 of 2015

The petitioners have approached this Court seeking intervention by appointing independent observers, senior police officials, to provide security, to permit videography at their own cost of the polling scheduled on 25.02.2015 in respect of ward Nos.14 and 5 of Municipal Council, Tarn Taran, District Tarn Taran.

Notice of motion was issued for today.

Mr. P.K. Jain, Addl. A.G., Punjab has put in appearance on

behalf of the respondents and submitted that so far as the claim of the petitioners for appointing independent observers, senior police officials and to provide security is concerned the same has already been acceded to by the authorities. He further stated that instructions have also been issued to all the District Electoral Officers-cum-Deputy Commissioners to grant permission to conduct videography outside the polling booth at the cost of the applicant(s) as and when any application is made in that regard. It was submitted that in case the petitioners make an application the prayer shall be considered sympathetically.

After hearing learned counsel for the parties, we may notice that ordinarily in such circumstances we would have relegated the petitioners to file an application for seeking relief regarding videography before the authorities. However, since the election is scheduled for tomorrow, there would not be sufficient time available with the petitioners to approach the authorities. Keeping in view the fact that decision has been taken by the administration and the State Election Commission for permitting videography and also the sensitivity prevailing in the ward Nos. 14 and 5, we direct the District Electoral Officer-cum-Deputy Commissioner, Tarn Taran to permit the petitioners to conduct videography outside the polling booths of aforesaid wards of Municipal Council, Tarn Taran, District Tarn Taran at their own expenses.

The writ petition stands disposed of accordingly.

Learned counsel for the State has been apprised of the order passed by this Court and he undertakes that the order shall be complied with by the District Electoral Office-cum-Deputy Commissioner, Tarn Tarn.

(AJAY KUMAR MITTAL)
JUDGE

(SNEH PRASHAR)
JUDGE

February 24, 2015
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