

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

**CWP No. 3337 of 2015  
Decided on : 24.02.2015**

Chhattar Pal Singh

... Petitioner

Versus

Deputy Commissioner, Sri Muktsar Sahib and another

... Respondents

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

**PRESENT:** Mr. Amandeep Chhabra, Advocate  
for the petitioner.

\*\*\*\*

**AJAY KUMAR MITTAL, J. (Oral)**

The prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of Certiorari for quashing the impugned action of the respondents, whereby the nomination form of the petitioner for the post of Municipal Councillor for Ward No.10, Malout, has been rejected, in an erroneous and illegal manner.

2. The present writ petition cannot be entertained for more than one reason. Firstly, that the nominated candidates of other parties have not been impleaded as a party in the writ petition. In their absence, no effective relief can be granted to the petitioners.

3. Secondly, Article 243ZG(b) of the Constitution of India provides as under:-

**“243ZG. Bar to interference by courts in electoral  
matters.—** Notwithstanding anything in this Constitution,—

(a) xx xxx xx

(b) no election to any Municipality shall be called in question except by an election petition presented to such authority and in such manner as is provided for by

or under any law made by the Legislature of a State.”

4. Further, the present writ petition raises disputed questions of fact, which can only be questioned by way of an election petition presented to appropriate authority in accordance with law.

5. Dismissed.

**(AJAY KUMAR MITTAL)**  
**JUDGE**

**(SNEH PRASHAR)**  
**JUDGE**

**February 24, 2015**

*J.Ram*