

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 7676 of 2014 (O/M)
Date of decision : 26.5.2015

Baljinder Kaur

..... Appellant

Versus

Election Tribunal Mansa-cum-Deputy Commissioner, Mansa and
others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. N.P.S. Mann, Advocate, for the appellant.

Mr. K.S. Chahal, Advocate, for respondent No. 2.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

In this case, the appellant has challenged the order dated 11.8.2014, passed by the Election Tribunal-cum-Deputy Commissioner, Mansa, whereby the Election Petition No. 1, filed by Jasmininder Kaur (respondent No. 2 herein) was allowed and she was declared elected as Panch of Gram Panchayat Dhalewa, Ward No. 5, Tehsil and District Mansa.

Since two declaration forms were issued, giving contrary results, this Court, vide order dated 10.4.2015, ordered the re-counting of the votes. In pursuance to the order of this Court, the Deputy Commissioner-Cum-Election Tribunal, Mansa, conducted the

re-counting on 4.5.2015 at 11:00 AM in the presence of the parties.

Report has been received that Baljinder Kaur (appellant herein) got 135 votes, whereas Jasminder Kaur (respondent No. 2 herein) got 148 votes. Accordingly, Jasminder Kaur (respondent No. 2 herein) was declared elected as Panch of the said Gram Panchayat. The proceedings were videographed. Both the parties gave concurrence to the fresh counting decision.

In view of the report, I am of the view that there is no error in the order dated 11.8.2014, passed by the Election Tribunal-cum-Deputy Commissioner, Mansa, allowing the said election petition of Jasminder Kaur (respondent No. 2 herein).

Consequently, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

26.5.2015
sjks