

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

CR No.4095 of 2014 (O&M)
Date of decision : 31.03.2016

Jarnail Singh

...Petitioner

Versus

Buta Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Deepak Gupta, Advocate for the petitioner.

Mr. A.S. Ahluwalia, Advocate for the respondent No.1.

Mr. Vikrant Sharma, Advocate for the respondent No.2.

Mr. Piyush Bansal, DAG, Punjab for respondent No.4.

AMIT RAWAL, J. (Oral)

CM No.13039-CII of 2014

Prayer in the application is for impleading the Presiding Officer, Election Tribunal, Bathinda/DC Bathinda as respondent No.4.

For the reasons stated in the application, application is allowed.

Presiding Officer, Election Tribunal, Bathinda/DC, Bathinda is ordered to be impleaded as respondent No.4.

Main case

The petitioner is aggrieved of the order, whereby recounting has been ordered.

Learned counsel for the petitioner submits that in election petition, he was arrayed as respondent and the Election Tribunal in most erroneous and mechanical manner passed the order of recounting which is alien to the settled law. However, this Court while issuing notice of motion observed that decision of the election petition shall be subject to the outcome of the present revision petition and submits that during the pendency of the revision petition, election petition has been decided vide order dated 22.05.2015. This fact has not been controverted by learned counsel for the respondent.

I am of the view that even though order of re-counting may not be in consonance with the settled law but the fact remains that election petition, has been allowed.

The petitioner shall be at liberty to challenge the order of recounting in appeal in case choses to file the same, in essence, will not preclude to take all other pleas which is permissible in law.

With the aforementioned observations, revision petition stands disposed of.

31.03.2016

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**(AMIT RAWAL)
JUDGE**