

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.11608 of 2016

Date of Decision: June 02, 2016

Bant Singh

.....Petitioner

versus

Deputy Commissioner, Fatehabad and others

.....Respondents

**CORAM:HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.**

Present: Ms.Meenakshi Poswal, Advocate, for
Mr.R.S.Mamli, 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 has laid challenge to the election of respondent No.3 as Councillor of Municipal Council, Fatehabad and further seeks a mandamus to declare him as the elected Councillor. The plea taken is that some bogus votes were cast and election was manipulated.

It is an admitted fact that there is remedy under the Act to file election petition before the Civil Court-cum-Election Tribunal.

We are of the view that the factual plea taken by the petitioner can be adjudicated by the Election Tribunal for which there is specific remedy available under the Act. We thus dispose of this writ petition relegating the petitioner to the remedy of election petition, if so advised.

However, having regard to the fact that there is a fixed tenure of office of

the Councillor, the Election Tribunal is directed to make an endeavour to decide the election petition within a period of six months from the date of its filing.

Dasti.

[SURYA KANT]
JUDGE

June 02, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE