

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

260

**CWP No. 15635 of 2016
Date of decision: 23.08.2016**

Vikas Goyal

..petitioner

Vs.

State of Punjab and Others

..respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: Mr. Akshay Jain, Advocate for the petitioner.

Mr. Alok Jain, Addl. AG, Punjab.

Mr. L.S. Sidhu, Advocate for respondents No. 6 and 11.

Mr. Rajbir Singh, Advocate for respondent No. 7.

Ms. Kavita Arora, Advocate
for respondent No. 14(Municipal Council)

AJAY KUMAR MITTAL, J.(ORAL)

Mr. L. S. Sidhu, Advocate states that he appeared for respondents No. 6 & 11 only but in the last order dated 12.08.2016 his presence has been inadvertantly recorded for respondents No. 6 to 11.

2. Petitioner has approached this Court under Articles 226/227 of the Constitution of India seeking quashing of resolution No. 44 dated 22.07.2016 (Annexure P-4) whereby respondent No. 7 has been elected as Vice President, Municipal Council, Bareta.

3. It has been submitted by learned counsel for the petitioner that respondent No. 7 won the elections through an illegal means. However, learned counsel for respondent No. 7 who has been elected as Vice President of Municipal Council, Bareta has produced 8 persons who had supported the

election of respondent No. 7 which was held on 22.07.2016 against 14 voters. It was also stated that they had cast their votes in favour of respondent No. 7 on the said date as well.

4. In view of the above, learned counsel for the petitioner states that nothing survives in the case and, therefore, the petition may be disposed of as such.

5. Ordered accordingly.

6. It was pointed out by learned counsel for the petitioner before concluding his arguments that a prayer for issuance of a writ of mandamus has also been made seeking directions to respondents No. 1 and 2 to protect the life and liberty of the petitioner and his family members from the hands of respondents No. 3 to 13 so that neither he nor his family members be falsely implicated in the case under Narcotic Drugs and Psychotropic Substance Act, 1985 or in any other case of criminal nature.

7. While disposing of the said prayer, we grant liberty to the petitioner to file an application for revival of the said prayer in the present petition in case he receives any threat perception to his life and liberty.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

August 23, 2016
Poonam (II)

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No