

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1885 of 2016

Date of Decision:-29.01.2016.

Rajesh Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

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?

Present: Mr. Suneel Ranga, Advocate for the petitioner.

SURYA KANT, J. (ORAL)

1.) The petitioner as well as respondent No.8 both contested election of Sarpanch of Village Pathri, Post Office Seenk, Tehsil Israna, District Panipat along with other candidates on 10.1.2016.

The petitioner and respondent No.8-both are said to have secured 391 votes each. Their votes being equal, result was to be declared by draw of lots by following the procedure contained in Rule 71 of the Haryana Panchayati Raj Election Rules, 1994.

2.) Alleging that the above-stated Rule has not been followed and the alleged draw was held in the absence of the petitioner, the petitioner made a complaint to the Deputy Commissioner, Panipat on

the very next day i.e. 11.1.2016.

3.) As these are all seriously disputed question of facts, we dispose of this writ petition without going into merits of the case with a direction to the Deputy Commissioner-cum-District Election Officer to consider the above-stated grievance of the petitioner as early as possible but not later than one month. However, this shall not be construed as if the mandatory requirement of filing an election petition has been dispensed with.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

January 29, 2016.

sandeep sethi