

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.2052 of 2016
Date of Decision: February 01, 2016

Pardeep Kumar

....Petitioner

versus

State of Haryana and others

.....Respondents

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

Present: Mr.A.K.Jain, 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 controversy pertains to election of Member of Zila Parishad from Ward No.6, Ballabhgarh, District Faridabad. The petitioner was also one of the contesting candidates. He claims that during counting, 209 votes were found to have been polled from booth No.226 and on the basis of total votes, he was declared elected. But due to objections raised by defeated candidate(s), the Electronic Voting Machines (EVM) of Panchayat Elections were summoned and on the pretext of re-counting, the other candidate is sought to be declared elected.

We have heard learned counsel for the petitioner.

As there are seriously disputed questions of facts which are supported with oral averments only, the appropriate recourse for the petitioner would be to institute an election petition. We relegate him accordingly. However, keeping in

view the peculiar facts and circumstances, it is directed that in case the petitioner files election petition on time, the same shall be decided within a period of six months from the date of its filing.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 01, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE