

CWP No.23924 of 2016

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

CWP No.23924 of 2016
Date of decision: 05.12.2016

Virender

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: - Mr. Vikram Singh, Advocate, for
Mr. Ashok Kaushik, Advocate, for the petitioner.
Mr. Sandeep Moudgil, Addl. A.G., Haryana.
Mr. Rajesh Lamba, Advocate, for respondent No.3.

AJAY KUMAR MITTAL, J. (ORAL)

Only prayer made in the writ petition filed under Articles 226/227 of the Constitution of India is for issuance of time bound direction to the Election Tribunal (in short 'the Tribunal') to decide the election petition (Annexure P-1).

2. It was urged by learned counsel for the petitioner that respondent No.3 in spite of availing several opportunities has not filed written statement and at the same time filed application under Order 7 Rule 11 CPC to delay the decision of the election petition.

3. Without entering into any controversy and keeping in view the totality of the facts and circumstances of the case, it is directed that firstly the application under Order 7 Rule 11 CPC shall be decided by the Tribunal on or before 15.1.2017 in accordance with law. It is further observed that in case the said application is decided against the applicant, election petition shall be disposed of by the Tribunal on or before 31.3.2017.

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- 4. Disposed of accordingly.
- 5. Needles to say that anything observed hereinabove shall not be taken as an expression of opinion on the merits of the controversy.

(AJAY KUMAR MITTAL)
JUDGE

December 05, 2016	(RAMENDRA JAIN)
R.S.	JUDGE
Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No