

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.2727 of 2016
Date of Decision: February 11, 2016

Kuldeep

....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE RAJ MOHAN SINGH.

Present: Mr.Vijay Pal, Advocate, for the petitioner.
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent Nos.1 to 3 only at
this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let three copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

Since no order prejudicial to the interest of
respondent No.4 is being passed on merits, it is not necessary
to call upon him at this stage or to seek any counter-reply
from respondent Nos.1 to 3.

The petitioner is a resident of village Salemgarh,
District Hisar. He alleges that respondent No.4 was allowed to
contest the election of Sarpanch in which he has been

declared elected despite the fact that the said respondent is disqualified under Section 175(1)(a)(ii) of the Haryana Panchayati Raj Act, 1994, namely, that he has been convicted and sentenced for a period of three years in the year 2015 only. It is further averred that respondent No.4 himself disclosed the factum of his conviction in the nomination papers yet he was allowed to contest the election. The petitioner is said to have made a representation to the Deputy Commissioner, Hisar to 'disqualify' respondent No.4, but finding no response thereto, the instant writ petition has been filed.

Having regard to the averments made in the writ petition duly supported with the judgments passed by the Criminal Court of competent jurisdiction, we dispose of this writ petition with a direction to the Deputy Commissioner, Hisar, to consider the petitioner's complaint and take an appropriate decision within two weeks.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 11, 2016
mohinder

[RAJ MOHAN SINGH]
JUDGE