

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

**CWP No. 3 of 2016
Date of decision : 4.1.2016**

Sehrunisha

.....Petitioner

v.

State of Haryana and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present : Mohammad Arshad, Advocate, for the petitioner

M.M.S. BEDI, J.

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to include the name of the petitioner in the voters' list in Ward No.4, Village Babupur for the Gram Panchayat Babupur, Block Hathin, District Palwal, Haryana and to allow the petitioner to contest the election for the post of Sarpanch.

We are not satisfied from the record that the petitioner had ever applied for inclusion of her name in the electoral roll prior to 26.12.2015. Even the petitioner's counsel has not been able to satisfy this Court that the application for inclusion of petitioner's name in the electoral role was actually filed on 26.12.2015. The petition is not maintainable in view of the provisions of Article 243K of the Constitution of India as the superintendence and control of the preparation of electoral rolls for the conduct of all elections of Panchayats

vests in the State Election Commission consisting of a State Election Commissioner appointed by the Governor. The petitioner appears to have not approached the said authority after her first application for inclusion of her name in the electoral roll was allegedly misplaced.

Dismissed without prejudice to the rights of the petitioner to avail alternative remedy.

(M.M.S. BEDI)
JUDGE

(RAMENDRA JAIN)
JUDGE

4.1.2016

Ashwani