

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

**CWP No.395 of 2016 (O&M)
Date of Decision: 11.01.2016**

Rinku Devi @ Rinka Kumari

... Petitioner

VS.

State Election Commission, Haryana & Anr.

... 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. RS Kundu, Advocate for the petitioner

Ms. Kirti Singh, DAG Haryana

SURYA KANT, J. (Oral)

(1) Notice of motion. On our asking, Ms. Kirti Singh, DAG Haryana accepts notice on behalf of the respondents. In view of the nature of order which we propose to pass, there is no necessity to call upon the respondents to file their reply/affidavit at this stage.

(2) The petitioner filed her nomination papers to contest the election of Zila Parishad, Jind from Ward No.22. Her nomination has been rejected vide order dated 30.12.2015 (P8) on the ground that her name in the Matriculation certificate is different than the name mentioned in the Voter-List/ration card. It may be mentioned here that in the Matriculation certificate (P5), the name of petitioner is Rinka Kumari d/o Satpal. Her date of birth is 01.01.1982. In the Voter Identity Card (P2) also, her

date of birth is shown as 01.01.1982 but the name recorded is Rinku w/o Vijay. In the Aadhar Card as well as in the ration card also, she is shown as Rinku Devi w/o Vijay, though the date of birth is 01.01.1982 only. The petitioner's case is that after her marriage, her name was partially changed from Rinka Kumari to Rinku @ Rinku Devi.

(3) Heard learned counsel for the parties. Since the petitioner passed her Matriculation from the Board of School Education, Haryana and from a Government Girls Senior Secondary School located in District Jind only, it appears that the authorities can conveniently hold a fact-finding enquiry to find out whether Rinka Kumari d/o Satpal and Rinku @ Rinku Devi w/o Vijay are one and the same person.

(4) The writ petition is disposed of with a direction that let respondent No.2 find out within three days the correct facts and in case petitioner's claim is well-merited, the competent authority shall re-consider her nomination papers and if the same are found to be in order in all respects, the petitioner shall be allowed to contest the Zila Parishad elections.

(5) **Dasti** during the course of day.

(Surya Kant)
Judge

11.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge