

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

**CWP No.413 of 2016 (O&M)
Date of Decision: 12.01.2016**

Nisaar

... Petitioner

VS.

State of Haryana & Ors.

... 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. Mohammad Arshad, 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 respondents No.1 to 4. Since no order prejudicial to the interest of respondent No.5 is being passed, there is no necessity to issue notice to that respondent and call upon other respondents to file their reply/affidavit at this stage.

(2) The instant is a cross-writ petition to CWP No.23654 of 2015 disposed of in November, 2015. In the previous writ petition, one Umardeen had approached this Court challenging the inclusion of House No.14 in Ward No.6 of village Chilli as according to him, the said house falls in Ward No.7 of village Roopdraka Malapuri. We declined to express any opinion on merits in that case as the occupants of House No.14 were not

party respondents. The writ petition was disposed of with a direction that the writ petitioner's objection be decided in accordance with law.

(3) In the instant writ petition, the petitioner is statedly one of the residents of House No.14. Though he has not appended the order but it appears that while deciding the objections of Umardeen, the District Election Officer has shifted the petitioner and other residents of House No.14 from Ward No.6 of village Chilli to Ward No.7 of village Roopdraka Malapuri.

(4) The later decision is now being questioned in the instant writ petition.

(5) Heard learned counsel for the parties.

(6) We are inclined to follow the same recourse, namely, that the authorities shall consider the petitioner's grievance and redress the same in accordance with law, if feasible before the actual elections are held on 17.01.2016. The 5th respondent shall also be heard while deciding such objections.

(7) Ordered accordingly.

(8) Disposed of. **Dasti** during the course of day.

(Surya Kant)
Judge

12.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge