

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

250+254

Civil Writ Petition No.6461 of 2016

Vikas Mittal

....Petitioner

versus

State of Punjab and others

...Respondents

AND

Civil Writ Petition No. 14416 of 2016

Vikas Goyal and others

....Petitioners

versus

State of Punjab and others

...Respondents

Date of decision: 3rd August, 2016

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

Present: Mr. Deepak Kumar Jain, Advocate for the petitioner.

Mr. Alok Jain, Addl. A.G., Punjab.

Mr. L.S. Sidhu, Advocate
for respondent No.6 in CWP No.6461 of 2016 and
for respondent No.7 in CWP No.14416 of 2016.

Ms. Kavita Arora, Advocate
for respondent No.5 in CWP No.6461 of 2016 and
for respondent No.8 in CWP No.14416 of 2016.

AJAY KUMAR MITTAL, J. (Oral)

1. This order shall dispose of Civil Writ Petition Nos.6461 and 14416 of 2016 as learned counsel for the parties state that the issue involved therein is identical.

2. Briefly the facts are being taken from CWP No.6461 of 2016. In this petition, the petitioner has prayed for issuance of a writ in the nature of mandamus directing respondent No.1 to conduct the elections by secret ballot as provided under Rule 5 of the Punjab Municipal (President and Vice-President) Election Rules, 1994 and further to video-graph of the

entire proceedings/elections so as to ensure the conduct of smooth and fair elections to the said posts.

3. Written statement on behalf of respondent No.5 has been filed in Court today. The same is taken on record, subject to all just exceptions.

4. Learned counsel for the petitioner(s) submitted that the election for the post of the Vice-President of Municipal Council, Bareta, District Mansa has already been conducted on 22.07.2016. It was pointed out that in terms of order dated 22.07.2016, the process of election has been video-graphed and the video-graphy version shows that there has been manipulations and the same has been challenged by way of filing a separate petition i.e. CWP No.15635 of 2016 which is being listed on 04.08.2016.

5. In view of the fact that the election for the post of Vice President of Municipal Council, Bareta has already taken place on 22.07.2016, learned counsel for the petitioner states that the writ petitions have become infructuous and may be disposed of as such.

6. Disposed of as infructuous.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

August 03, 2016
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No