

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

**CWP No.695 of 2016 (O&M)
Date of Decision: 14.01.2016**

Anju Kansal

... Petitioner

VS.

DC Kurukshetra & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE P.B. BAJANTHRI**

Present: Mr. RD Gupta, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner filed her nomination for contesting the Gram Panchayat election of village Ismailabad, Sub Tehsil Ismailabad, Tehsil Pehowa, District Kurukshetra. Her nomination paper has been rejected on the ground that she is one of the partners in M/s Durga Rice and General Mills, the premises whereof was raided by the Executive Engineer Vigilance, Karnal of UHBVNL and large scale theft of electricity was detected. A penalty of ₹33,46,743 has been imposed on the firm. The Prescribed Authority thereafter sent a memo to the managing partner of the firm that in case they do not want to face trial and want that the offence be compounded, in that case, they are liable to pay additional compounding fee of ₹6,60,000/-.

(2) Since one of the eligibility condition prescribed for contesting election is that there should be no pending dues of any

Government agency, the petitioner's nomination has been rejected on account of the non-deposit of the above-stated penalty amounts.

(3) In our considered view, no error or illegality has been committed by the respondents in rejecting the petitioner's nomination.

(4) Be that as it may, the election is scheduled to be held on 17.01.2016.

(5) No time is left to adjudicate the issues sought to be raised by the petitioners except that the petitioner, if so advised, may file election petition raising all such pleas. This order shall, however, have no bearing on the efforts of HBVN authorities in recovering their dues and they shall be at liberty to have recourse to all legitimate means for the aforesaid purpose.

(6) Dismissed.

(Surya Kant)
Judge

14.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge