

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

CWP No.7305 of 2016
Date of decision:23.04.2016

Narender

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Kunal Dawar, Advocate, for the petitioner.

Paramjeet Singh Dhaliwal, J. (Oral)

The instant petition has been filed under Articles 226/227 of Constitution of India for issuance of a writ in the nature of certiorari for quashing the declaration of result dated 17.01.2016 (Annexure P-2) of election /appointment of respondent No. 6 to the post of Sarpanch of village Swamika, Tehsil Hathin, District Palwal, Haryana and further direction has been sought to appoint the petitioner to the post of Sarpanch

Learned counsel for the petitioner submits that though the petitioner secured maximum votes still he was declared unsuccessful candidate and the person who secured lesser votes than the petitioner has been elected.

I have heard learned counsel for the petitioner and perused the paper-book.

Petition under Section 176 of the Haryana Panchayati Raj Act, 1994 lies before the Civil Court, which has been notified as Election Tribunal. Petitioner can avail the said remedy in accordance

with law.

At this stage, learned counsel for the petitioner prays for permission to withdraw the present petition with liberty to avail above mentioned alternative remedy.

Dismissed as withdrawn with liberty aforesaid. In case such a petition is filed, the Election Tribunal shall make an endeavour to decide the same expeditiously.

23.04.2016
PA

(Paramjeet Singh Dhaliwal)
Judge