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

CWP No.9009 of 2016

Date of decision: May 09, 2016

Biram Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mr. Bhupender Singh, Advocate for
Mr. Munish Gupta, Advocate
for the petitioner.

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?

SURYA KANT, J. (Oral)

The petitioner is a resident of village Tolni, Post Office Daula, Tehsil Sohna, District Gurgaon. He seeks quashing of the order dated 29.03.2016 whereby Additional Deputy Commissioner, Gurgaon has disposed of the complaint against the election of respondent No.5 as Sarpanch of the Gram Panchayat of their village by observing that identical issue is pending consideration before the Civil Court in the Election Petition filed by the petitioner's wife.

In our considered view, the order passed by the Additional Deputy Commissioner, Gurgaon is fully justified.

Since the Civil Court-cum-Election Tribunal is seized with the

matter where identical issue has arisen for adjudication, the administrative authority rightly refrained itself from expressing any opinion. However, taking into consideration the peculiar circumstances, alternative prayer made by the petitioner that the election petition should be decided in a time bound manner, deserves to be accepted. We thus, dispose of this writ petition with a direction to the learned Civil Court-cum-Election Tribunal, Gurgaon to expeditiously decide the election petition preferably within six weeks.

**[SURYA KANT]
JUDGE**

**[A.B. CHAUDHARI]
JUDGE**

May 09, 2016
mahavir