

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9328 of 2016 (O&M)

Date of Decision: 12.05.2016

Suman Lata

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE A.B. CHAUDHARI

Present: Mr. Vivek Goyal, Advocate for the petitioner
Ms. Kirti Singh, DAG Haryana
None for respondent No.6

SURYA KANT, J. (Oral)

(1) The petitioner seeks a direction to respondents No.2 to 4 to allow her to file nomination papers and contest election for the post of Municipal Councillor for Ward No.19, Thanesar. It is alleged that respondent No.6 who is wife of MLA Kurukshetra and is Ex-Municipal Chairman has got the name of the petitioner removed from the Electoral Roll for the said Ward at the last moment to keep the petitioner out of fray.

(2) Upon notice, service of respondent No.6 is reported to be still awaited. Learned State counsel has produced all the relevant records. Assistant RO is also present.

(3) In view of the facts that (i) the petitioner's name was very much there in the Electoral Roll of 2014 and she exercised her franchise in the last Assembly elections; (ii) the notification dated 29.01.2016 was issued only "*for updating the existing electoral rolls of all wards of...*" Kurukshetra and obviously the existing voters were

not expected to submit any objections/claim in response thereto; (iii) there appears a last moment effort to delete the names of some of the voters from the Electoral Roll, we direct (i) the State Election Commission, Haryana; (ii) the Principal Secretary, Urban and Local Bodies Department, Haryana; and (iii) the Deputy Commissioner, Kurukshetra to invite a fresh objections against deletion of names from the Electoral Roll by giving one day opportunity to the affected voters and thereafter re-schedule the election programme including the date for filing nomination papers so as to enable the affected persons like the petitioners to file nominations, if so desired. However, the authorities shall be at liberty to hold the election as per the final date of election already notified.

(4) We are sanguine that the District Administration is fully aware of its responsibility to ensure fair and impartial election so that no political person succeeds in misusing his/her position and impair with the purity of election process.

(5) Let a **dasti** copy of this order be handed over to Ms. Kirti Singh, learned DAG Haryana during the course of day for information and necessary compliance.

(6) Disposed of.

(Surya Kant)
Judge

12.05.2016
vishal shonkar

(A.B. Chaudhari)
Judge