

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.9679 of 2016

Date of decision: May 16, 2016.

Manju... **Petitioner**

v.

State Election Commission, Haryana and others... **Respondents**CORAM: **HON'BLE MR. JUSTICE SURYA KANT**
HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Shri B.K. Bagri, Advocate, for the petitioner.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral):

Petitioner's nomination papers for contesting the election of Municipal Councillor from Ward No.9 have been rejected on the ground that she failed to deposit the requisite fee. The condition regarding deposit of the fee, as contained in the official press release of the State Election Commission, Haryana, is to the following effect:-

“He further stated that a candidate filling nomination paper for contesting the election of the seat of Municipal Corporation/Council/Committee shall have to deposit an amount mentioned as under in Government Treasury or Sub Treasury or with the Returning Officer in cash, as the case may be:-

<i>Class of Municipality</i>	<i>General</i>	<i>SC/BC/Woman</i>
Municipal Corporation	Rs.3000/-	Rs.1500/-
Municipal Council	Rs.2000/-	Rs.1000/-
Municipal Committee	Rs.1000/-	Rs.500/-

The petitioner admittedly submitted her nomination papers on 11.5.2016 (Annexure P-4) and it is clearly mentioned in the receipt of nomination papers that, “all nomination papers will be taken up for scrutiny at 11.30 (hour) on 12.05.16 (dated) at M.NNL (place)”. At the time of scrutiny, it was found that the petitioner had neither deposited the fee amount in govt. treasury nor with the Returning Officer in cash when she filed her nomination papers. Her nomination papers were accordingly rejected.

As the petitioner failed to comply with the prescribed condition, no case to interfere with the impugned order is made out.

Dismissed.

[Surya Kant]
Judge

[A.B. Chaudhari]
Judge

May 16, 2016.
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