

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

115

FAO No.4284 of 2016 (O&M)

Date of Decision: December 16, 2016

Albel Singh

...Appellant

Versus

Rajinder Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Harit Sharma, Advocate
for the appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.14764-CII of 2016

Prayer in this application is for permission to place on record the election petition as Annexure A-1, application filed by respondent No.1 as Annexure A-2 and allotment of election symbols by the Returning Officer as Annexure A-3.

Application is allowed.

Documents Annexures A-1 to A-3 are taken on record subject to just exceptions.

CM No.14765-CII of 2016

Prayer in this application is for condonation of delay of 43 days in filing the appeal.

For the reasons mentioned in the application, which is supported by the affidavit of the applicant-appellant, the same is allowed.

Delay of 43 days in filing the appeal stands condoned.

FAO No.4284 of 2016

Challenge in this appeal is to the order dated 24.12.2015 passed by the Election Tribunal-cum-Sub Divisional Magistrate, Sangrur,

whereby the election petition of the appellant has been rejected on the ground that the appellant has not signed each and every page of the election petition and the affidavit attached thereto.

2. It is the contention of learned counsel for the appellant that as per the mandate of Section 76 of The Punjab State Election Commission Act, 1994, there is nowhere mentioned that each and every page of the petition is required to be signed.

3. This plea of the counsel for the appellant cannot be accepted in the light of the provisions as contained in Section 80 of The Punjab State Election Commission Act, 1994. It is an admitted fact that the pages of the election petition have not been signed by the appellant. The statutory rules governing the election also mandate such a requirement which the appellant has failed to comply with. The judgments as passed by this Court also go against the stand of the appellant.

4. In view of the above, finding no merit in the present appeal, the same stands dismissed.

December 16, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No