

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

**C.M. NOS.22454-56 CII OF 2015 &
F.A.O.NO.7133 OF 2015**

DATE OF DECISION: APRIL 05, 2016

Gursahib Singh

.....Appellant

VERSUS

Gurwinder Singh and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

**Present: Mr. Tarundeep Kumar, Advocate for
Mr. D. S. Pheruman, Advocate,
for the appellant.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

C.M. No.22454 CII of 2015

Application is allowed subject to just exceptions.

**Permission is granted to place on record extract of the
notification as Annexure A-1. Exemption is also granted from filing
certified copy of said document.**

C.M. No.22455 CII of 2015

**Present is an application for condonation of delay of 20 days in
filing the appeal.**

**As per the counsel, the said delay has occurred because the
notification was not made available in the office of BDPO, Bhikhiwind.**

For the reasons mentioned in the application, which are duly supported by an affidavit of the appellant, the same is allowed and delay of 20 days in filing the appeal stands condoned.

C.M. No.22456 CII of 2015 & F.A.O. No.7133 of 2015

Counsel for the appellant contends that the election petition has been allowed merely on the basis of a photo copy of form 9 and the original thereof was never produced before the Tribunal. The document, Form 9, was also not proved on record and, therefore, the impugned order dated 20.08.2015 cannot sustain.

On the basis of the statement made by counsel for the appellant, the original record was summoned from the Tribunal, which has been gone into by this Court as also by counsel for the appellant and it has been found that the document, Form 9, has been duly proved on record and exhibited as P-1.

In the light of the above, the present appeal is devoid of merit as respondent, Gurwinder Singh, had obtained more votes than the appellant herein.

The appeal, therefore, stands dismissed.

Since the main appeal stands dismissed, C.M. No.22456 CII of 2015 for staying the operation of the impugned order dated 20.08.2015 is also dismissed.

**April 05, 2016
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**