

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

CWP-18511-2017

Date of Decision: August 21, 2017

Mahabir

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHIR MITTAL**

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

.....

Present: Mr.APS Mann, Advocate
for the petitioner.

.....

SURYA KANT, J.

The petitioner is resident of village Hasanpur, Tehsil Hodal, District Palwal, Haryana. He assails the election of respondent No.7 as Sarpanch of the Gram Panchayat held on 25.07.2017. It is averred that despite order dated 15.03.2017 of the State Election Commission, Haryana, the option of "None of the Above" (NOTA) was not made available to the voters.

[2] In our considered view the petitioner has got an efficacious alternative remedy to file an application under Section 176 of the Haryana Panchayati Raj Act, 1994 before the Election Tribunal consisting of Civil Court. The petitioner may, if so advised, avail the said alternative remedy.

[3] Disposed of.

**(SURYA KANT)
JUDGE**

August 21, 2017
meenuss

**(SUDHIR MITTAL)
JUDGE**

- | | | |
|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |