

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.2110 of 2017

Date of Decision : 03.02.2017

Vinod KumarPetitioner

Versus

State of Punjab and othersRespondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR. SHEKHER DHAWAN

Present: Mr.Sarbjit Singh Khaira, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

The petitioner prays for quashing the nomination papers of respondent No.5 and for issuing a writ of mandamus to disqualify him from contesting the election and further to replace the respondent No.4 from the post of Returning Officer.

We are afraid, we cannot entertain such a prayer in view of the settled law as determined by the Hon'ble Supreme Court in *N.P.Ponnuswami v. The Returning Officer, Namakkal Constituency, Namakkal, Salem Dist., and others*, **1952 AIR (SC) 64**. Once an election is underway, the only remedy left with the aggrieved person is by way of an election petition. Besides, the prayer made to declare a particular candidate disqualified is not within the domain of writ jurisdiction.

Dismissed.

(MAHESH GROVER)
JUDGE

03.02.2017
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No