

107+237

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

**CWP-5802-2016 (O&M)  
Date of decision : 03.03.2017**

Hari Ram

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Parduman Yadav, Advocate  
for the petitioner.

Mr. Rajbir Singh, AAG, Haryana.

Mr. D. K. Khanna, Advocate  
for respondent No.4.

Mr. Jaivir Yadav, Advocate  
for respondent No.7.

\*\*\*\*

**AMIT RAWAL, J. (ORAL)**

**CM-3025-CWP-2017**

For the reasons stated in the application which is duly supported by an affidavit, the application is allowed and the replication to the written statement of respondent No.7 has been taken on record subject to all just exceptions.

CM stands disposed of.

**CWP-5802-2016**

The grievance of the petitioner in the present writ petition is for issuance of a writ in the nature of quo-warranto to remove Shri Ved Parkash son of Shri Ram Sharan, resident of Village Tigra, Block Ateli Nangal,

Tehsil Narnaul, District Mohendergarh/respondent No.7 from the office of Sarpanch of Gram Panchayat as he did not fulfil the condition of educational qualification for the office of Sarpanch.

Concededly, the petitioner contested the elections of Sarpanch of Village Tigra, Block Ateli Nangal, Tehsil Narnaul, District Mohendergarh and did not prefer the election petition, but filed a quo-warranto writ.

In my view, once the petitioner has a statutory remedy of filing the election petition, writ of quo-warranto, on the available grounds, cannot be filed.

No ground is made out for interference.

Dismissed.

03.03.2017  
Yogesh Sharma

( AMIT RAWAL)  
JUDGE

✓

Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No