

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.28758 of 2017.
Date of Decision: December 16, 2017

Purab Khanna

.....Petitioner

versus

Sukhwinder Singh and others

.....Respondents

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

Present: Dr.Priya Anand, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is aggrieved by the order dated 07.12.2017 (P-5) whereby his objections against nomination papers filed by respondent No.1 for the election of Councilor of Nagar Panchayat, Ward No.12, Bholath, District Kapurthala, have been rejected. To say differently, the Prescribed Authority-cum-Sub Divisional Magistrate, Bholath, District Kapurthala has accepted the nomination papers of respondent No.1 to allow him to contest the election which is scheduled to be held on 17.12.2017.

The writ petition not only raises seriously disputed questions of facts but it is totally misconceived and misdirected. In our considered view, rejection or acceptance of the nomination papers in an election process does not call for inference in exercise of writ jurisdiction as the affected person has got efficacious alternative remedy to file the election petition. The writ petition is accordingly dismissed with liberty to the petitioners to file election petition after the completion of election process, if so advised, on the same cause of action.

**[SURYA KANT]
JUDGE**

December 16, 2017
mohinder

**[SUDHIR MITTAL]
JUDGE**

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No