

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Civil Writ Petition No.28772 of 2017.
Date of Decision: December 16, 2017

Amarjot Singh and othersPetitioners
versus
State of Punjab and othersRespondents

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

Present: Mr.K.D.Sachdeva, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners seek a direction for cancellation of candidature of respondent No.5 who is contesting the election of Councilor of Municipal Corporation, Patiala allegedly in the fake name. It is claimed that name of respondent No.5 is enrolled in two different wards, i.e., Ward No.36 and Ward No.37.

Heard learned counsel for the petitioners.

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

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**[SUDHIR MITTAL]
JUDGE**

**Whether speaking/reasoned
Whether Reportable**

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**Yes/No
Yes/No**