

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29873-2017

Date of Decision: December 22, 2017

Taffazzul Hussain

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

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|----|---|---------|
| 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 |

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Present: Md.Arshad, Advocate for the petitioner.

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SURYA KANT, J.

The 10th respondent was elected as member of Zila Parishad on 17.01.2016. The petitioner, who claims himself to be a voter of Ward No.13 of Zila Parishad, District Nuh, namely, the ward from which respondent No.10 was elected, did not file any election petition within the stipulated period. No one else also appears to have filed the election petition. The petitioner at a belated stage made some complaint regarding production of false birth certificate by respondent No.10 at the time of filing her nomination papers and based on that complaint, he seeks a direction to hold enquiry against her. In our considered view the writ petition is wholly misconceived and the relief claimed is totally frivolous. The question whether a false birth certificate was produced or not; and whether the

nomination paper of respondent No.10 was rightly accepted or not, can be

adjudicated only in an election petition, which the petitioner did not file.

[2] No case to grant the relief sought in this petition is made out.

[3] Dismissed.

**(SURYA KANT)
JUDGE**

December 22, 2017
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**(SUDHIR MITTAL)
JUDGE**

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