

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

**CWP No.3484 of 2017 (O&M)**

**Date of Decision : 22.02.2017**

Jasbir Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

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

...

Present: Mr. Mohammad Arshad, Advocate  
for the petitioner.

...

**MAHESH GROVER, J.** (Oral)

This petition has been filed with a prayer that a writ in the nature of certiorari be issued quashing the result of Municipal Election of Ward No.12 of Shahbad as it is in violation of Haryana Municipal Election Rules.

We are afraid we cannot answer this prayer of the petitioner as he would have remedy in law to assail the election on the grounds set out in the statute.

The second prayer made in the petition is that order dated 19.08.2016 be set aside as it does not address the core issue of respondent No.7 being qualified to contest the election in the absence of a legitimate and valid certificate of education.

On a prior occasion the wife of the petitioner had approached this Court by way of CWP No.12860 of 2015 which was disposed of on 29.06.2016 with a direction to the Deputy

Commissioner to look into the grievance of the petitioner in that writ petition in so far as the educational qualification of respondent No.7 is concerned. The Deputy Commissioner as a measure of compliance of the said direction has passed order dated 19.08.2016 which is now the cause of grievance to the petitioner.

In the impugned order the Deputy Commissioner on the basis of inquiry recorded a finding that the certificate of 8<sup>th</sup> class of Elementary Education School possessed by respondent No.7 is valid as the institution is affiliated to district Saharanpur and is registered since 1996.

The grievance of the petitioner is that this certificate is not acknowledged by the Election Commission of India.

After hearing the learned counsel for the petitioner, we are of the opinion that this too would constitute a ground for challenge to the election of the said respondent and therefore, while declining interference in the writ petition leave the petitioner to his remedies in law.

Petition dismissed.

(MAHESH GROVER)  
JUDGE

22.02.2017  
dss

(SHEKHER DHAWAN)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |