

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.79 of 2017 (O&M)
Date of Decision: 18.01.2017

Naginder Singh Gora

... Appellant

VS.

Parupkar Singh Ghuman & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE GURMIT RAM

Present: Mr. Chanchal K Singla, Advocate for the appellant

SURYA KANT, J. (Oral)

(1) This Letters Patent Appeal is directed against an interlocutory order passed in a writ petition pertaining to election of the office-bearers of District Bar Association, Ludhiana.

(2) In our considered view the interim order against which this appeal is directed does not cause any serious or irreparable prejudice to the parties or on the merits of the case for the reasons that -

- (i) the counting of votes statedly polled on 22.12.2016, shall be subject to the final outcome of writ petition;
- (ii) if the election conducted on 22.12.2016 has already been set aside, as asserted by the appellant, then such an issue shall be required to be adjudicated by learned Single Judge while deciding the main case;
- (iii) if it is found as a matter of fact that the election conducted on 22.12.2016 stood validly set aside, there shall be no option but to direct to conduct fresh election under the supervision of a Committee that may be appointed by learned Single Judge;

- (iv) it is expedient and desirable to decide the main case on merits at the earliest instead of passing one after the other interlocutory orders;
- (v) the legal objections raised by the parties shall also be dealt with by learned Single Judge while deciding the main case.
- (3) We have no reason to doubt that the learned Single Judge will decide the writ petition expeditiously on the date fixed and/or at the earliest.
- (4) Disposed of in above terms.

(Surya Kant)
Judge

18.01.2017
vishal shonkar

(Gurmit Ram)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No