

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

CR No.8639 of 2014 (O&M)

Date of decision : January 17, 2018

Ram Sarup Kanwar

..... Petitioner

Versus

Dilbag Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Girdhar, Advocate for the petitioner.

Ms. Rajni Mourya, Advocate for respondent No.1.

Mr. G.S. Dhillon, DAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Heard.

Impugned in the present revision petition is the order dated 26.11.2014 (Annexure P-9) passed by learned Deputy Commissioner-cum-Election Tribunal, Rupnagar, vide which the prayer of the petitioner for treating issue Nos.1 to 3 as preliminary issues and deciding the same before the final decision of the case has been rejected.

The learned Deputy Commissioner-cum-Election Tribunal, Rupnagar held that the application of the petitioner shall be decided at the time of final decision on merits after recording of the evidence of both the parties.

After hearing learned counsel for the parties, this Court is of the view that vide impugned order, the said application for treating issue Nos.1 to 3 as preliminary issues and deciding the same before the final decision,

has been practically declined. The fact is that now all the issues are to be decided together after recording the evidence. Therefore, there is no illegality or infirmity in the view taken by the learned Deputy Commissioner-cum-Election Tribunal, Rupnagar to decide all the issues together, particularly when the case is at the stage of recording of evidence of the petitioner, which unluckily could not be recorded due to filing of the present revision petition and the petitioner himself has obtained stay from the Court on 05.01.2015.

As such, the present revision stands dismissed.

The Deputy Commissioner-cum-Election Tribunal, Rupnagar is directed to decide the case expeditiously.

(KULDIP SINGH)
JUDGE

January 17, 2018

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Whether speaking / reasoned Yes

Whether Reportable: No