

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.12883 of 2018

Date of decision: August 27, 2018

Nasib Bawa @ Nasib Chand

...Petitioner

Versus

Election Tribunal and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Kamalpreet Bawa, Advocate for the petitioner.

Ms. Jasleen Kaur, Advocate for
Mr. Gagandeep Rana, Advocate for respondent No.1.

Mr. N.S. Dandiwal, Advocate for respondent No.2.

Mr. Harkesh Manuja, Advocate for respondent No.3.

Rakesh Kumar Jain, J. (Oral)

This petition is filed for issuance of a writ in the nature of certiorari for setting aside the result of election dated 6.4.2018 by which respondent No.3 has been elected as President of the District Bar Association, Moga.

Counsel for the petitioner, during the course of hearing, has admitted that the election of respondent No.3 has already been challenged by him by way of an Election Petition on 10.4.2018 which is now pending before respondent No.1 i.e. Election Tribunal constituted by the Bar Council. He has referred to Rule 11(d) of the Bar Associations (Constitution and Registrations) Rules, 2015 (for short 'the Rules') and contended that Election Petition is to be decided by the Election Tribunal expeditiously but preferably within a period of two months. It is submitted that though four months have passed from the

date when the petition has been filed and tenure of the returned candidate is only for one year, therefore, with the passage of time, the Election Petition filed by the petitioner would become redundant. Prayer is thus made that the Election Tribunal/respondent No.1, who is seized of the Election Petition, may be directed to decide the same on the date already fixed i.e. 6.9.2018 or if it is not possible on that day, within 15 days thereafter.

Counsel for the respondents have not raised any objection.

Consequently, the present petition is hereby disposed of with a direction to respondent No.1 to decide the Election Petition on the date already fixed i.e. 6.9.2018 and if it is not possible for some reason or the other, within 15 days thereafter.

August 27, 2018
Meenu

(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned : Yes/No
Whether reportable : Yes/No