

CWP no.21449 of 2018 (O&M) 1

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

CWP no.21449 of 2018 (O&M)

Date of Decision : 27.08.2018

Shiv Kumar

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE MAHABIR SINGH SINDHU**

Present : Mr.Adarsh Jain, Advocate for the petitioner(s)

MAHESH GROVER, J.(ORAL)

The petitioner has filed the instant petition seeking a mandamus that inquiry be held into the conduct of the elections held to the Municipal Committee, Hathin on 13.5.2018. He states that under Rule 90 the State Election Commission has the authority to look into such an irregularity by holding an inquiry.

Learned counsel for the petitioner contends that in this regard a representation has been submitted which ought to have been looked into by the Election Commission.

We have heard learned counsel for the petitioner and are unable to persuade us to issue any mandamus much less than the kind sought by the petitioner for the reasons that concededly elected persons are not before us as respondents. Any direction that we may pass in the event of accepting the prayer of the petitioner would reflect adversely on them. Even otherwise,

these issues of irregularities etc. in election can be effectively answered in an election petition. Finding that elected candidates are not parties before us and the petitioner has an alternate remedy, we decline the prayer.

Hence, instant petition is hereby dismissed.

(Mahesh Grover)
Judge

27.08.2018
rekha

(Mahabir Singh Sindhu)
Judge

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