

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

FAO-3481-2016 (O&M)

Date of Decision : 29.05.2018

Jaspal Singh

..... Appellant

Versus

Presiding Officer, Election Tribunal, Amritsar-cum Additional Deputy
Commissioner (General) Amritsar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. Ithlesh, Advocate
for Mr. L.S. Sidhu, Advocate
for the appellant.

Mr. Ajay Pal Singh Gill, D.A.G., Punjab
for respondent No.1.

Mr. J.S. Thind, Advocate
for respondent No.2.

Ms. Veenus Dhaka, Advocate
for respondent No.3.

AJAY TEWARI, J. (Oral)

Report of the OSD (Vigilance) has been received and the same is taken on record. As per the report, though originally six votes were cancelled but on examination one of those six votes were found to be valid. Thereafter, recounting was conducted and it was found that both the candidates i.e. the appellant and the respondent No.2 had obtained 243 votes.

Counsel appearing for the parties have accepted this report. All the counsel have then stated that the only way out of this impasse would be to have a draw of lots. Counsel for the appellant has handed over to me a bag in which there are two slips bearing the name of each of the candidates which has also been cross-checked by the counsel for respondent No.2 and have asked me to take one out and the one which is taken out would be declared elected. I have drawn the slip of paper in the open Court and the name of Jaspal Singh son of Darshan Singh-appellant has come out.

In the circumstances, the appeal is allowed. The appellant-Jaspal Singh is declared elected. The bag is returned back to the counsel for the appellant.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 29, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No