

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

**CWP No. 89 of 2019
Date of decision: 08.1.2019**

Surjit Singh

.....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Sahil Khunger, Advocate
for the petitioner.

A.B. CHAUDHARI, J

Learned counsel for the petitioner has submitted that the Deputy Commissioner is having the custody of the ballot papers and he has not made any counting though it is true that the counting was done earlier on 6-7 occasions. He has further submitted that the petitioner was declared elected in the earlier counting.

We cannot go into the questions which are disputed question of facts. However, under Punjab State Election Commission Act, 1994, the petitioner has an alternative remedy to approach the Election Tribunal. The petitioner has a right to file an application to the Tribunal to get the record from the Deputy Commissioner and get an order according to law.

The petition is disposed of.

The Election Tribunal shall decide the election petition within
one year.

(A.B. CHAUDHARI)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

January 08, 2019

Gurpreet

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No