

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

CWP No.7314 of 2019

DATE OF DECISION : 18th MARCH, 2019

Shiv Kumar

.... Petitioner

Versus

State of Haryana and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE A. B. CHAUDHARI
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

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Present : Mr. Adarsh Jain, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (Oral)

Heard learned counsel for the petitioner for quite some time.

Following is the relevant prayer in the present writ petition:

“for the issuance of a Writ of Mandamus directing enquiry to be held into the conduct of elections held to Municipal Committee Hathin on 13.5.2018, by the State Election Commission Haryana, for reasons that Material Irregularities have been committed in the preparation of electoral rolls, ordered by the State Election Commission, and the Voters List required to be finalized and published on 12.3.2018, though initially published on 15.3.2018 (Annexure P.6), was revised at the District Level, continuously upto 12.5.2018 (Annexure P.18), much after Issuance of Election Programme on 20.4.2018 (Annexure P.10), especially for Ward No.11, and comparison of

Notification of Final Publication dated 12.3.2018 (Annexure P.6) shows 556 votes, whereas elections have been held on the basis of an interpolated voters list said to be finally published on 12.3.2018 (Annexure P.18) in which 785 voters have been mentioned and these figures have been written in hand, although they were printed in the earlier list.”

In substance, the challenge raised by the petitioner is to the voters’ list in respect of the elections which were held on 13.05.2018. The present writ petition was filed on 11.03.2019, thus the elections have been completed but contention raised by the petitioner is that the voters’ list was interpolated which was finally published on 12.03.2018 (Annexure P-18) and that 785 voters were mentioned and these figures have been hand written although they were printed in the earlier list. It is thus clear from the above that the challenge to the voters’ list, at such a late stage, cannot be entertained even by the State Election Commission or under Rule 90 of the Haryana Municipal Election Rules 1978.

The petition is thus not maintainable and is rejected.

(A. B. CHAUDHARI)
JUDGE

18th MARCH, 2019
‘raj’

(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>