

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 13298 of 2019

DATE OF DECISION:17.5.2019

Ajay Dharminder Singh Deol @ Sunny DeolPetitioner

Versus

Election Commission of India and othersRespondents

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present:- Mr. Pankaj Jain, Advocate with
Mr. Anil Mehta, Advocate
for the petitioner.

DAYA CHAUDHARY, J.

Petitioner-Ajay Dharminder Singh Deol @ Sunny Deol has approached this Court by way of filing the present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.1 to declare Gurdaspur Parliamentary Constituency (0-1) as Super Sensitive Constituency being prone to violence and for deployment of para military forces to meet any eventuality that may arise during the election, which is going to be held on 19.5.2019.

Learned counsel for the petitioner contends that Gurdaspur Parliamentary Constituency is a Border Constituency and witnessed poll violence in the Panchayat polls conducted in the month of December, 2018. Learned counsel further contends that it is a prestigious Constituency as not only the petitioner is a popular figure and contesting the elections against a candidate, who is State President of Indian National Congress. Learned counsel also contends that a detailed representation through mail was sent on 14.5.2019 but no action has been taken thereupon so far.

Notice of motion.

On asking of the Court, Mr. Namit Kumar, Advocate and Mr. Satya Pal Jain, Additional Solicitor General of India, who are present in Court accept notices on behalf of respondents No.1,2 and 3, respectively. Advance copy of the writ petition was also supplied to Mr. Namit Kumar, Advocate.

Mr. Namit Kumar, learned counsel appearing for respondents No.1 and 2 submits that representation sent by the petitioner is already under active consideration. During hearing of the case, a written communication has been received by learned counsel for respondents No.1 and 2, which clearly shows that action on the representation of the petitioner has already been taken . In columns No.3 to 8 of written communication dated 17.5.2019, following action has been stated to be taken:-

3	Classification of critical and vulnerable polling stations	Out of 1826, 111 no of booths are categorized as critical and 467 booth as vulnerable
4	Allotment of Central Armed Paramilitary Force (CAPF)	Total 24 Coys of CAPF allotted for the PC as per the report from DC cum RO Gurdaspur
5	Placement of CAPF	866 booths are placed under CAPF protection out of 1826 Total no of booths
6	Placement of Micro observers	1014 No of booths are covered by Micro observers are posted out of 1826 total no of booths.
7	Use of Webcasting coverage for Polling stations	1034 No of booths are covered by web casting out of 1826 total no of booths
8	Appointment of General Observers and Police observer	Two General observers Sh. Ravikumar IAS and Sh. Deep Chandra IAS and Police Observer Sh. Raj Vardhan IPS is also posted in the constituency.
In this way all booths are covered by any one or multiple measures 1. Central Armed Paramilitary Force. 2. Micro observer (Gazetted officer Rank) 3. Webcasting 4. State police Force. As per the guidelines of ECI. In many Booths, there are multiple security measures are also being undertaken.		

In view of the action taken by respondents No.1 and 2, no further direction is required to be issued in this petition and the present petition is disposed of accordingly.

Copy of the order be given dasti under the signatures of Special Secretary of this Court to learned counsel for the parties.

(DAYA CHAUDHARY)
JUDGE

May 17, 2019
pooja

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes