

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

ANURADHA
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**CWP-1300-2021 (O&M)
Date of Decision : 27.1.2021**

Satpal Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Chetan Mittal, Sr. Advocate with
Mr. Mayank Aggarwal, Advocate
for the petitioners.

Mr. Suveer Sheokand, Addl.A.G, Punjab.

Mr. S.P.S.Tinna, Advocate for respondent No.6.

AJAY TEWARI, J. (ORAL)

1. This petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the final electoral list published on 5.1.2021 (Annexure P-7) published by the respondents on the ground of manipulation and irregularities.

2. Reply by way of affidavit of Jagjit Singh, Executive Officer, Municipal Council, Derabassi, District SAS Nagar Mohali has been filed on behalf of respondent No.6, the same is taken on record.

3. Rejoinder has been filed by the learned counsel for the petitioners to the written statement filed by respondents No. 4 and 5, the same is taken on record.

4. One of the preliminary objections raised by learned State counsel and counsel appearing for respondent No. 6 is that the petitioners

have an alternative remedy under Rule 24 of the Punjab Municipal Election Rules, 1994 to file an appeal before respondent No.3- State Election Commission.

5. Learned Senior Counsel appearing on behalf of the petitioners has submitted that in view of this objection he would withdraw this writ petition and liberty be granted to file an appeal before respondent No.3 by tomorrow till 4:00 pm with requisite advance copies to the learned counsel for the parties appearing in this Court today but the respondent No.3 should be directed to decide the same on or before 3.2.2021 because thereafter the appeal would be rendered infructuous.

6. Learend State Counsel and counsel for respondent No.6 has accepted this suggestion.

7. In view of these circumstances, petition is dismissed as withdrawn with liberty to the petitioners to file an appeal before respondent No.3 on or before 4:00 pm by tomorrow i.e. 28.1.2021. Parties are directed to appear before respondent No.3 on 1.2.2021 at 10:00 pm and respondent No.3 is requested to take up the appeal and decide it in accordance with law on or before 3.2.2021.

8. Since the main case has been dismissed as withdrawn, the pending civil miscellaneous application, if any, also stands dismissed as withdrawn.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

January 27, 2021
anuradha

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