

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.2296 of 2021(O&M)

Date of Decision:-10.02.2021

Narinder Singh Jossan.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present:- Mr. Kulbhushan Raheja, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

*[The aforesaid presence is being recorded through video conferencing since
the proceedings are being conducted in virtual court]*

The Petitioner is a contestant for election as a member from one of the wards i.e. Ward No.8 of the Municipal Council, Ferozepur for which the polling is to take place on 14.02.2021.

By filing the present writ petition he has prayed the following:-

“ It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to:-

- (a) summon all the relevant records of the case;
- (b) issue a writ in the nature of Mandamus directing the respondents to decide the objections before circulation of final voter list; to issue no objection certificate without delay or exempt the NOC at the time of filing the application; to video graphed the election process of all the 33 booths of

Ferozpur from the stage of nomination till counting and declaration of result;

- (c) summon all the records and set aside all such illegal proceeds which have been undertaken in the orders passed by the department inter-se for the purpose of transcending into the impugned notification dated 16.01.2021.
- (d) to pass any other appropriate writ, order or direction which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the present case;
- (e) serving of advance notices upon the respondents may kindly be dispensed with;
- (f) filing of the certified copies of Annexures may kindly be dispensed with;
- (g) costs of this petition be awarded to the petitioner.

It is further prayed that the respondents may kindly be stayed from circulating the final electoral roll without deciding the objections of the petitioner, during the pendency of the present writ petition, in the interest of justice. ”

Counsel for the petitioner heard.

At the time of hearing, learned Counsel fairly concedes that the first two prayers have been addressed i.e. the objections to the Voters list have been decided as also No Objection Certificate has been issued enabling the petitioner to file his nomination, which factually have been filed by the last date i.e. 03.02.2021.

The prayer is thus limited to direct the conduct of Videography at the time of polling on 33 booths in the ward No.8 of the Municipal Council, Ferozpur at the expenses of the petitioner.

Vis-a-vis the aforesaid prayer, learned State Counsel submits

that in view of the directions given in Para 6 Clause (v) of judgment dated 24.5.2012 delivered by a Division Bench of this Court in CWP No.9601 of 2012-Krishan Kumar Sharma & Others Vs. State of Punjab, the State Election Commission, Punjab, has issued directions on 29.01.2021, directing the Returning Officers to permit the videography by the candidates at their own expenses outside the polling booths of their respective wards.

In view of the aforesaid stand of the State through the learned State Counsel, nothing survives in the instant writ petition as petitioner would be at liberty to conduct videography at his own expense outside the polling booth of his ward.

The writ petition stands **disposed of** in the above terms.

The State shall be bound by its aforesaid stand.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

February 10, 2021
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No