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

CWP No.2754 of 2021  
Date of decision: 09.02.2021

**Rakesh Kumar and others**

**..... Petitioner (s)**

**V/s.**

**State of Punjab and others**

**..... Respondent (s)**

**CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR**  
**HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Rajinder Kumar Samyal, Advocate, for the petitioners.

Mr. S P S Tinna, Additional Advocate General, Punjab.

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**Sanjay Kumar, J. (Oral)**

The petitioners seek a direction to the authorities to decide their representation dated 18.12.2020. This representation was made by them in the context of the transfer of votes pursuant to the new Wardbandi (delimitation) in relation to the local body elections scheduled to be held on 14.02.2021 and more particularly, the election to the Municipal Council/Nagar Panchayat for Bhagta Bhai Ka Nagar Panchayat, Tehsil Rampura Phul, District Bathinda.

Though the petitioners claim to have submitted their representation in December, 2020, they filed the present writ petition only on 02.02.2021, long after issuance of the election notification fixing the date of the election as 14.02.2021. Once the election notification is issued

and the electoral process commences, Article 243-ZG of the Constitution would come into play and, subject to very few just exceptions that would aid the election process and not meddle with it, bar interference by Courts in electoral matters, including the validity of any delimitation exercise. The Article further provides that the remedy in relation to any election held to a municipality would be only by way of an election petition before the appropriate authority. No such exception is made out presently.

In the light of the Constitutional scheme and given the fact that the petitioners did not take any steps in relation to their representation dated 18.12.2020 till issuance of the election notification, no grounds are made out for entertaining this writ petition.

The writ petition is accordingly dismissed on the ground of maintainability.

No order as to costs.

**(SANJAY KUMAR)**  
**JUDGE**

**(ARCHANA PURI)**  
**JUDGE**

09.02.2021

*rakesh*

|                    |   |               |
|--------------------|---|---------------|
| whether speaking   | : | <i>Yes/no</i> |
| whether reportable | : | <i>Yes/no</i> |