

123
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.3064 of 2021
Date of decision: 10.02.2021

Rakesh Kumar

..... Petitioner (s)

V/s.

Punjab State Election Commission and others

..... Respondent (s)

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

Present: Mr. Tarun Singla, Advocate, for the petitioner.

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

Sanjay Kumar, J. (Oral)

The petitioner is aggrieved by the deletion of his name from the electoral roll of Ward No.3, previously Ward No.2, of Municipal Council Nurmahal, District Jalandhar, in relation to the Municipal Council election scheduled to be held on 14.02.2021. He seeks a further direction to the election authorities to accept his nomination paper to contest the said election from Ward No.3 of Municipal Council Nurmahal.

The petitioner claims to have become aware of the deletion of his name from the voters list only in February, 2021. However, it is an admitted fact that the provisional voters list was issued as long back as on

CWP No.3064 of 2021

-2-

10.12.2020 and after considering applications for corrections and inclusions, the voters list was finalized only on 05.01.2021.

Section 30 of the Punjab State Election Commission Act, 1994 (for short, 'the Act of 1994'), provides for the preparation and revision of electoral rolls. Sections 31 and 32 of the Act of 1994 deal with correction of entries and inclusion of names in such electoral rolls respectively. Any person aggrieved by an order passed under Section 31 or Section 32 is entitled to file an appeal before the Election Commission under Section 33 of the Act of 1994.

This being the statutory scheme, the delay on the part of the petitioner, in taking suitable steps in relation to the provisional voters list and the final voters list that was issued thereafter, is fatal to his case.

The writ petition is therefore dismissed on this short ground.

No order as to costs.

(SANJAY KUMAR)
JUDGE

(ARCHANA PURI)
JUDGE

10.02.2021

rakesh

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