

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

CWP No.2928 of 2021

Date of decision: 09.02.2021

Gurmeet Singh Ahluwalia 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. Binat Sharma, Advocate, for the petitioners.

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

Sanjay Kumar, J. (Oral)

The petitioners seek quashing of the voter lists in relation to the election to the Municipal Council, Kiratpur Sahib. According to them, the said lists were prepared in violation of the rules, whereby votes of one ward were transferred to another ward to benefit candidates belonging to a particular political party.

A consequential direction is sought to the authorities to prepare the voter lists in accordance with the Wardbandi order dated 07.01.2020. Surprisingly, the alternative prayer advanced by the petitioners is to quash the Wardbandi Notification dated 07.01.2020.

Be that as it may.

The election to the Municipal Council, Kiratpur Sahib, is scheduled to be held on 14.02.2021.

The petitioners seem to have a grievance with regard to the delimitation exercise initiated under the Notification dated 07.01.2020 with regard to the wards of the Municipal Council. The election notification was issued in January, 2021 fixing the date of the election as 14.02.2021. Once such a notification is issued, subject to very few just and valid exceptions that would aid the election process and not meddle with it, Article 243-ZG of the Constitution bars interference by this Court in relation to any electoral matter, including a delimitation exercise. Further, the Constitutional provision states that the remedy after any such election would be by way of an election petition presented before the appropriate authority. No such exception is made out presently.

The above being the Constitutional scheme, the present writ petition filed on 05.02.2021 in relation to an election to be held on 14.02.2021, on the strength of the delimitation exercise undertaken in January, 2020, cannot be entertained.

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 : Yes/no

whether reportable : Yes/no