

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

CWP-2998-2021

Date of decision: 10.2.2021

Avtar Krishan Tandon and others

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN  
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr.Hemant Bassi, Advocate for the petitioners

Mr.Suveer Sheokand, Addl.AG, Punjab

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**JITENDRA CHAUHAN, J.**

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing the final electoral list dated 5.1.2021 (Annexure P14) pertaining to the Municipal Council/ Nagar Panchayat Doraha, District Ludhiana.

Learned counsel for the petitioners states that at this stage, he would be satisfied, if the present writ petition is disposed of in terms of the judgment dated 14.1.2021 passed in CWP-830-2021, titled as Paramjit Singh and others vs. State of Punjab and others”.

Heard.

A complete set of paper book has already been handed over to the learned State counsel.

There is consensus between the parties that the present petition being identical be disposed of in terms of the judgment dated 14.1.2021 passed in CWP-830-2021 titled as “Paramjit Singh and others vs. State of Punjab and others.

While disposing of CWP-830-2021 vide judgment dated 14.1.2021, a Coordinate Bench has observed as under:-

“On 13.01.2021, the following order was passed:-

“It is the contention of learned senior counsel for the petitioners that after the delimitation of wards, the wards numbers, where the petitioners and others reside, have been shown but their votes have been shown in some other wards, the details whereof have been pointed out and representation/objections have already been submitted prior to the finalization of the voters list and thereafter subsequent also, representations has been submitted, which has not been considered and decided by the competent authority.

Mr. S.P.S. Tinna, Additional Advocate General, Punjab, puts in appearance on behalf of the respondents and prays for an adjournment to seek instructions.

List on 14.01.2021.”

In pursuance thereto, an affidavit of a Sub-

Divisional Magistrate, Phagwara, District Kapurthala, dated 14.01.2021 has been filed wherein, it has been stated as follows :-

“1. That the final publication for the Electoral roll according to directions of State Election Commission was done on 06.01.2021 after hearing all claims and objections raised by residents of Phagwara Constituency but even after accepting all claims and objections on merits, many persons has still complaints and grievances.

2. That deponent himself conducted an enquiry and found that one clerk Sh. Sandeep Kumar posted in election office of deponent misused ID and password of the deponent. He accessed online account given by Bharti electric Press on his mobile and deleted more than 36 entries involving around 800 votes. The Police authorities have been written vide letter no.1999 dated 11.01.2021 for lodging FIR against him for the said fraud.

3. That the entire matter had been brought to knowledge of State Election Commission Punjab who had further directed to resolve all pending claims and objections on merits by publishing the same in supplementary list which will be attached to the electoral roll.

4. That it is humbly prayed that all pending claims and objections will be resolved in this week as per the directions of State Election Commission”.

Counsel for the State on instructions from Sub-Divisional Magistrate, Phagwara, states that the objections which have been received pre and post publication of the voters list will be taken into consideration and a final decision taken thereon as per the directions issued by the State Election Commissioner within a period of one week. In the light of the statement made by the counsel for the respondent, the present petition is disposed of binding the respondents by the statement made by the counsel for the State.”

In view of the above, the present petition is disposed in the same terms as in CWP-830-2021. The necessary exercise be carried out expeditiously by the competent authority.

**[JITENDRA CHAUHAN]**  
**JUDGE**

**[VIVEK PURI]**  
**JUDGE**

10.02.2021

gsv

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No