

114(4)
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2894 of 2021
Date of decision: 11.02.2021

Chandi Ram

..... 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. Impinder Singh Dhaliwal, Advocate, for the petitioner.

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

Sanjay Kumar, J. (Oral)

The petitioner submitted his nomination to contest the election to the post of Councilor of the Municipal Council, Malout, District Sri Muktsar Sahib, from Ward No. 16. However, his nomination was rejected by the Returning Officer, *vide* order dated 04.02.2021. The reason for such rejection was the fact that the proposer of the petitioner did not affix his signature in the nomination paper.

Though reliance was sought to be placed upon the interim order dated 05.02.2021 passed by this Court in ***CWP No. 2780 of 2021***, titled '***Sahibee Anand V/s. State of Punjab and others***', the same is utterly misplaced. The petitioner in that case had also suffered rejection of

his nomination paper on an identical ground but he approached this Court before finalization of the candidates on 05.02.2021. The petitioner in the present case filed this writ petition only on 08.02.2021, long after the last date for withdrawal of candidature, viz, 05.02.2021. That apart, **CWP No. 2780 of 2021**, titled '**Sahibee Anand V/s. State of Punjab and others**', was dismissed by this Court today on the ground that the failure of the proposer to affix his signature in the nomination paper would be a defect of substantial character, warranting rejection of the nomination under Section 41 of the Punjab State Election Commission Act, 1994. Thus, the petitioner would not be entitled to relief.

The writ petition is devoid of merit and is accordingly dismissed.

No order as to costs.

(SANJAY KUMAR)
JUDGE

(ARCHANA PURI)
JUDGE

11.02.2021

rakesh

whether speaking	:	Yes/no
whether reportable	:	Yes/no