

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

**Civil Writ Petition No. 6544 of 2021 (O&M)
Date of Decision: 22.03.2021**

Suresh Kumar Satija

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Kulbhushan Raheja, Advocate
for the petitioner.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

JASWANT SINGH, J.

Petitioner – Suresh Kumar Satija who claims himself to be a contestant for election to the office of Members of Municipal Corporation, Ward No. 12, Tehsil Abohar, District Fazilka has filed the present petition with a prayer to direct respondent No. 1 to hold an inquiry against respondent Nos. 2 to 12 from some high level officer in view of the alleged malpractice conducted by the ruling parties in Abohar Municipal Corporation Election dated 14.02.2021.

Heard learned counsel for the petitioner at length and scrutinized the paperbook.

A perusal of the pleadings would reveal that numerous allegations of corrupt practice(s) apart from allegations of polling of bogus votes have been levelled in the writ petition, which are certainly disputed questions of fact, which we are not inclined to go into. Under the garb of prayers made in the writ petition, the petitioner is trying to circumvent

statutory provisions of law, as it is clear that he has an alternative remedy of filing an election petition under Section 74 read with Section 89 of the Punjab State Election Commission Act, 1994 (in short “the Act, 1994”), where all the pleas taken here can be adjudicated by the competent authority. Thus, the present writ petition is not maintainable as the petitioner has an alternative efficacious remedy of filing an election petition.

In view of the above, instant **petition** is hereby **dismissed** with a liberty to approach to the petitioner to the appropriate authority constituted under the Act, 1994 for adjudicating the factual disputes raised herein, who shall be at liberty to decide the same as per law.

(JASWANT SINGH)
JUDGE

March 22, 2021
'dk kamra'

(JASGURPREET SINGH PURI)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No