

S.No.112

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

CWP No.8798 of 2021

Date of Decision:23.04.2021

Harpal Singh

.....Petitioner

Vs.

The State of Punjab and others

.....Respondents

(Heard through VC)

**CORAM:- HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. K.S. Hissowal, Advocate for the petitioner.

RITU BAHRI, J.(Oral)

The petitioner is seeking directions to the respondents to take a decision on the representation Annexure P.3 dated 22.02.2021, which he has made to respondent No.3 – Deputy Commissioner, Mansa for conducting enquiry into the matter that the private respondent No.7 - Shunti Singh has contested election of Counselor, as a Scheduled Caste candidate, from Ward No.6 of Bareta Mandi, which was reserved for Scheduled Castes Members only, however, factually he belongs to Backward Class category. No decision has been taken on the representation Annexure P.3.

At this stage, Mr. S.P.S. Tinna, Addl. AG, Punjab, has put in appearance and states that as per Section 89 of the Punjab State Election Commission Act, 1994, the proper remedy available before the petitioner is to file an election petition.

Counsel for the petitioner states that even before the Election

Commission, he had filed a representation Annexure P.2.

Since the remedy of filing election petition is available with the petitioner, at this stage, no cause of action arises to entertain this writ petition.

Dismissed.

(RITU BAHRI)
JUDGE

April 23, 2021
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(ARCHANA PURI)
JUDGE

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