

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

CWP-2216-2022
Date of decision 07.02.2022

Simranjit Singh MannPetitioner

Vs.

Union of India and another ...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Ranjan Lakhanpal, Advocate
for the petitioner.

Ritu Bahri, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for issuance of direction to the respondents to allot common symbol under Para 10B of the Election Symbols (Reservation and Allotment) Order 1968, to the petitioner's party immediately as Punjab Assembly Elections are going to be held on 20.02.2022.

Notice of motion.

On asking of the Court, Ms. Shweta Nahata, Advocate and Mr. Namit Kumar, Advocate accepts notice on behalf of respondent No. 1 and respondent No. 2 respectively.

Learned counsel for respondent No. 2 has sent copy of order dated 28.01.2022 passed by Secretary, Election Commission of India, New Delhi, and the same is taken on record as Annexure A-1 whereby request of the petitioner for allotment of common symbol to the candidates of his party for the upcoming General Election to the Legislative Assembly of Punjab has been rejected and reference has been made to Para 10B of the Election Symbols (Reservation and Allotment) Order 1968 wherein it has been mentioned that for a party to avail this

facility for the 3rd or more time, the party must secure at least 1% votes in the last

general elections contested in which the party has availed this facility. As the party of the petitioner has already availed this facility during the General Election to the Legislative Assembly of National Capital Territory of Delhi (NCTD) 2015 and General Election to the Legislative Assembly of Punjab, 2017 and the party didn't secure required minimum of 1% votes, therefore, the party is not eligible for allotment of common symbol from the Commission under the provisions of the said Para 10B.

In view of order dated 28.01.2022 (Annexure A-1), the present writ petition is dismissed..

(RITU BAHRI)
JUDGE

07.02.2022

G Arora

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No