

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

TA 1236 of 2021 (O&M)

Date of Decision: July 04, 2022

Veerpal Kaur

...Applicant

Versus

Election Tribunal-cum-Sub Divisional Magistrate, Fazilka
and others

... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Amandeep Singh Manaise, Advocate
for the applicant.

FATEH DEEP SINGH, J. (Oral)

Applicant Veerpal Kaur through this transfer application has sought transfer of election petition bearing case No.26/EP dated 30.01.2019 titled as **Narinder Kaur vs. Veerpal Kaur and another** pending before the Election Tribunal, Fazilika to any Court of competent jurisdiction in the District of Fazilika. The primary grounds are that there is apprehension to the applicant that the election to the post of

Sarpanch may be rigged through recounting of votes citing local MLA to be the supporter of the opposite party.

Upon hearing Mr. Amandeep Singh Manaise, counsel for the applicant and on perusal of the records.

Mere apprehension cannot take place of evidence.

Such political gimmicks taking plea of local interference by the local politician are very much common to such elections. How and in what manner the applicant has reasonable and justified bonafide apprehension of recounting at this juncture is certainly based on speculations. Since the election process has already been undertaken and the votes have been kept in a sealed box and without adoption of due process of law cannot be opened and how the applicant claims that there might be rigging is certainly too preposterous preposition. It is nothing but a ploy for bench hunting which is well clear from the prayer that the matter be given to another Court exercising such jurisdiction within the Sub Division of Fazilika.

Apparently there is no merit in the instant petition
and the same stands dismissed in *limine*.

July 04, 2022

(FATEH DEEP SINGH)

amit rana

JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No