

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

119

**CR-7703 of 2019 (O&M)  
Date of decision: 16.12.2022**

**Balwinder Singh**

**..Petitioner**

**Versus**

**Manpreet Singh @ Dr. Mannu and others**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Vishal Goel, Advocate, for the petitioner.  
Mr. Prateek Sodhi, Advocate, for respondent no.1.

**ANIL KSHETARPAL, J(Oral)**

An election petition filed by the petitioner was dismissed for non-prosecution on 11.06.2019, by the Deputy Commissioner-cum-Election Tribunal, Amritsar. An application for recall of that order in order to restore the election petition to its original number has also been dismissed by the Election Tribunal-cum-Sub Divisional Magistrate, Amritsar-1, on 03.10.2019, on the ground that the order was passed by the Deputy Commissioner-cum-Election Tribunal, Amritsar.

Once the order was passed by the Election Tribunal, the same has to be restored by the Election Tribunal, even if the power of Election Tribunal is, in the meantime, conferred upon a different officer or authority.

Keeping in view the aforesaid facts, the impugned order is set aside. The election petition is restored to its original number.

The revision petition is allowed.

The parties through their counsels are directed to appear before the Election Tribunal, on 13.01.2023.

All the pending miscellaneous applications, if any, are also disposed of.

December 16, 2022  
*nt*

(ANIL KSHETARPAL)  
JUDGE

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