

CWP-29815-2018(O&M)

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2023:PHHC:101493

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-29815-2018(O&M)

Date of decision : 07.08.2023

Soma Rani

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Gurmeet Singh, Advocate for
Mr.Harjass Sandu, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondents no.1 to 4.

VIKAS BAHL, J.(ORAL)

CM-11876-CWP-2023

1. This is an application under Section 5 of the Limitation Act for condonation of delay of 103 days in filing the accompanying application.

2. For the reasons stated in the application, the application is allowed and delay of 103 days in filing the accompanying application is condoned.

CM-11897-CWP-2023

1. This is an application under Section 151 CPC for recalling the order dated 23.02.2023 vide which the petition has been dismissed for non-prosecution.

2. For the reasons stated in the application which is duly supported by an affidavit, the application is allowed and the order dated

CWP-29815-2018

1.

This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents no.3 and 4 to issue “No Dues Certificate” to the petitioner.
2.

Learned State counsel has pointed out that in the present case, ‘No Dues Certificate’ was sought for contesting the elections in the year 2018 and since the said election is over, the present petition has been rendered infructuous.
3.

Learned counsel for the petitioner has submitted that the petitioner wishes to contest the election in future and in case, the issuance of NOC is rejected, then liberty be granted to the petitioner to file a fresh petition raising all the pleas available to her, if so required.
4.

Keeping in view the above said facts and circumstances, the present petition is disposed of as having been rendered infructuous.
5.

Needless to say that in case the petitioner is desirous to contest elections in the future and applies for NOC and in case, the same is rejected on the same ground as had been rejected in the present case, it would be open to the petitioner to challenge the same after raising all the pleas including the pleas which have been raised in the present petition.

(VIKAS BAHL)
JUDGE

August 07, 2023
Davinder Kumar

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