

136

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

CR-6273-2023

Date of Decision:- 19.10.2023

USHA RANI

...Petitioner

Vs.

ELECTION TRIBUNAL CUM CJJD PANIPAT AND ORS

...Respondents

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikram Singh, Advocate for the petitioner.

AMARJOT BHATTI, J. (Oral)

1. The petitioner – Usha Rani has filed civil revision petition under Article 227 of the Constitution of India for directing the respondent No.1 to decide Election Petition No.09 of 2022 instituted on 30.11.2022, Annexure P-1, titled as Usha Rani Vs. Anupreet and Others within time bound manner, preferably within 6 months.

2. Learned counsel for the petitioner pointed out that the elction petition was filed on 30.11.2022 which is Annexure P-1 and notice was ordered to be issued to the respondents for 14.12.2022 which is Annexure P-2. On 14.12.2022 service was complete and it was adjourned for filing of reply to the application filed by the petitioner. The copy of order is Annexure P-3. On 09.01.2023 it was again adjourned for filing of written statement as well as reply to application. The copy of order is Annexure P-

4. Even thereafter the matter was adjourned to 14.02.2023, 15.02.2023,

28.03.2023, 13.04.2023, 15.07.2023, 24.08.2023, 21.09.2023 and 17.10.2023 on the request of respondents for filing of their written statement. The copies of aforesaid orders are Annexures P-4 to P-11. It is argued that the respondents are delaying the disposal of election petition which should otherwise be disposed of preferably within a span of 6 months. To support his arguments, learned counsel for the petitioner has relied upon the authority of Coordinate Benches in Civil Revision No.3427 of 2015 decided on 28.05.2015 titled as Saroj Rani Vs. Election Tribunal and Ors.; CR-7414-2018 decided on 31.10.2018 titled Sakunat Vs. Kherunisha and others; CR-964-2023 decided on 10.03.2023 titled as Bhagwan Dass Vs. Election Tribunal-cum-Civil Judge, Senior Division, Panipat and others, which are annexed as Annexures P-12 to P-14. Hence the present revision.

3. I have considered the arguments and have gone through the record carefully as referred above. The copy of election petition filed under Section 176 of the Haryana Panchayati Raj Act, 1994 titled as Usha Rani Vs. Anupreet & Ors. is Annexure P-1. The notice was sent to the respondents. The perusal of interlocutory orders Annexure P-2 to P-11 indicate that the respondent Nos.1 and 2 have appeared through their private counsel whereas respondent Nos.3 to 5 are represented by Government Pleader. Till the last interlocutory order dated 21.09.2023, the case was adjourned several times for filing of written statement and disposal of application. The respondent Nos.1 and 2 have already filed their written statement whereas the respondent Nos.3 to 5 are yet to file their written statement. Therefore, much time has been consumed in filing of written statement to the election petition filed by the present petitioner.

Considering the nature of litigation, the Court is required to dispose of the matter expeditiously, otherwise the very purpose of filing of election petition would be defeated. Therefore, the revision petition filed by the petitioner is allowed directing the respondent No.1 to dispose of the election petition expeditiously preferably within a period of 6 months by giving short and reasonable adjournment.

4. The revision petition is accordingly disposed of.

Pending application (s), if any, also stands disposed of.

19.10.2023

snd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No