

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.119

Case No. : C. R. No. 7331 of 2023

Date of Decision : December 06, 2023

Bijender
vs.
Kuldeep and others

.... Petitioner
.... Respondents

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Tushar Gautam, Advocate
for the petitioner.

* * *

GURBIR SINGH, J. :

1. Prayer in this revision petition filed under Article 227 of the Constitution of India is for directing the Civil Judge (Senior Division), Nuh to decide the Election Petition filed by the petitioner, to challenge the validity of election of Sarpanch in Village Subaseri, Tehsil Tauru, Disgtrict Nuh, in a time bound manner.
2. Learned counsel for the petitioner submits that the Panchayati Elections were held in the State of Haryana and on 02.11.2022, elections for the post of Sarpanch, Gram Panchayat of Village Subaseri, were held, wherein respondent no.7 was the Presiding Officer. It has been further submitted that the official respondents did not conduct the elections in a fair manner. It was alleged that a number of votes were got casted by respondent no.1 on the fake and forged IDs, details whereof were given in the Election Petition. The matter was also brought to the notice of respondent no.7 on polling booths but he did not bother as he was in collusion with respondent

no.1. Resultantly, on the basis of false and forged votes, respondent no.1 won and was declared Sarpanch, defeating the petitioner by 18 votes.

3. Aggrieved by the aforesaid situation, petitioner filed Election Petition before the Court at Nuh, which is still pending. In that petition, respondent no.1 is using delaying tactics and the case is being adjourned from one date to another. Respondent no.1 has already taken charge of the post of Sarpanch and now, has started functioning on the said post. It has therefore been prayed that the court of learned Civil Judge (Senior Division), Nuh be directed to decide the aforesaid Election Petition in a time bound manner.

4. I have heard learned counsel for the petitioner and have also perused the case file.

5. Keeping in view the fact that if Election Petition is not decided expeditiously and elected candidate completes his tenure, then purpose of filing Election Petition would be actually frustrated. So, this Court is of the opinion that ends of justice would be met if Election Petition filed by the petitioner is decided expeditiously. So, learned Civil Judge (Senior Division), Nuh is directed to decide the Election Petition filed by the petitioner within nine months positively. It is further directed that no unnecessary adjournment shall be granted.

6. The present revision petition stands disposed of in the aforesaid terms.

December 06, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.

