

121.

2023:PHHC:158475

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

CR-7441-2023

Date of decision: 11.12.2023

Prem Kumari

... Petitioner

Versus

Election Tribunal-cum-Civil Judge (Junior Division), Sirsa, and others.

... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sunil Kumar Nehra 'Sirsa', Advocate, for the petitioner.

GURBIR SINGH, J. (Oral)

1. Prayer in this revision petition filed under Article 227 of the Constitution of India is for directing respondent No.1 to decide Election Petition No.05 of 2022 (Annexure P-1) titled as *Prem Kumari Versus Mamta Rani and others*, in a time bound manner.

2. The brief facts, as culled out from the petition, are that on 12.11.2022, Haryana State Election Commission conducted elections for Panchayati Raj Institutions i.e. for the post of Sarpanch including the village of the petitioner. In that election, respondent No.2 was declared elected. The petitioner challenged that election on the ground of corrupt practices, casting of bogus votes of persons who had died and also those who were not present in the village on the day of voting. The petition came up for hearing on 09.12.2022 but till date, proceedings have not yet been completed. The case is now is fixed for 09.01.2024 for filing written statement.

3. The grievance of the petitioner is that the private respondents are seeking adjournments on one pretext or the other, but the written statement has not been filed yet even after a lapse of more than a year. The private respondents are intentionally delaying the proceedings. By way of present revision petition, the petitioner has prayed for early disposal of the election petition (Annexure P-1).

4. I have heard the submissions of learned counsel for the petitioner and have gone through the paper book.

5. Considering the fact that if the election petition is not decided in a time bound manner, the very purpose of its filing would be defeated. Therefore, the revision petition is allowed and respondent No.1 i.e. Election Tribunal-cum-Civil Judge (Junior Division), Sirsa is directed to dispose of the election petition (Annexure P-1) filed by the petitioner expeditiously preferably within a period of nine months by giving short and reasonable adjournments.

(GURBIR SINGH)
JUDGE

December 11, 2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No