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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2951-2024 (O&M)
Date of decision: 12.02.2024

Sanjeev Kumar and another

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. A.K. Gupta, Advocate for the petitioners.

SUDHIR SINGH, J. (ORAL)

Present petition has been filed for issuance of a writ in the nature of certiorari for cancelling the election held on 12.11.2022 for the post of Sarpanch of Gram Panchayat, Koer, as elected candidate-respondent No.7 Reeta Devi has not submitted the required qualification certificates and also for issuance of a writ in the nature of mandamus directing respondents No.2 to 4 to decide the representation dated 23.11.2022 (Annexure P-2) and subsequent representation dated 26.04.2023 (Annexure P-5), in accordance with law.

Learned counsel for the petitioners submits that vide order dated 18.11.2022 (Annexure P-4), respondent No.2-State Election Commissioner, Haryana has already issued directions to the competent authority for taking necessary action against private respondent No.7, but in spite of said directions, the matter is still pending. It is further submitted that the petitioners

have already submitted two representations dated 23.11.2022 (Annexure P-2) and dated 26.04.2023 (Annexure P-5), but the same are pending, as no action has been taken so far. It is thus prayed that some time bound direction may be issued to the competent authority i.e. respondent No.4-Deputy Commissioner, Karnal to dispose of aforesaid representations.

Notice of motion.

On asking of the Court, Mr. Naveen S. Bhardwaj, Addl. AG, Haryana accepts notice on behalf of the official respondents-State and he has not disputed the aforesaid fact.

In view of the above, respondent No.4-Deputy Commissioner, Karnal is directed to consider and dispose of the representations dated 23.11.2022 (Annexure P-2) and dated 26.04.2023 (Annexure P-5) submitted by the petitioners and to pass a reasoned/speaking order, in accordance with law, within a period of six weeks from the date of receipt or production of certified copy of this order.

With the aforesaid observations made and directions issued, present writ petition is disposed of.

[SUDHIR SINGH]
JUDGE

[HARSH BUNGER]
JUDGE

12.02.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No