

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

124

CWP-6769-2024 (O&M).
Date of Decision: 20.03.2024.

A.S. HIGH SCHOOL, KHANNA TRUST AND MANAGEMENT
SOCIETY

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Pankaj Bali, Advocate, for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer made in the present writ petition is for seeking quashing of order dated 12.03.2024 (Annexures P-6) passed by respondent No.4-Sub Divisional Magistrate, Khanna, vide which the election of petitioner's society has been suspended.

Learned counsel for the petitioner contends that the petitioner-Association had submitted a request to the Sub Divisional Magistrate, Khanna, for providing police assistance for peaceful completion of the elections, however, the Sub Divisional Magistrate, Khanna, has directed

that the election process should be postponed and should be held after the Lok Sabha elections. He contends that the schedule of petitioner's elections has already been notified and that by virtue of the aforesaid order, the initiated election process is being stalled without any competence and authority. He further contends that the petitioner shall carry out the election as per the schedule already notified, by making its own security arrangement, for the peaceful conduct of elections.

Notice of motion to respondents No.1 to 4 only at this stage.

Ms. Harpriya Khaneka, DAG, Punjab enters appearance and accepts notice on behalf of the aforesaid respondents. She submits that the order under challenge does not direct postponement/cancellation of elections and is only an advisory and the Sub Divisional Magistrate has expressed his inability to spare police force. She, however, contends that the State has no objection in case the election is conducted by the petitioner-Society by making their own arrangements.

Learned counsel appearing for the petitioner submits that he is satisfied in light of the aforesaid statement made by the State counsel.

The present petition is accordingly disposed of as not pressed, at this stage, in view of the above statement made by the State counsel so as to conduct the elections as per the schedule already notified.

March 20, 2024.
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(VINOD S. BHARDWAJ
JUDGE

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