

2024:PHHC:103256



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CR-3555-2023 (O&M)

Date of decision: 09.08.2024

Sonia

...Petitioner

Versus

Mohini and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Dr. Rishi Pal Singh, Advocate for the petitioner.

Mr. Vikram Singh, Advocate for respondent No.1.

Mr. Rajbir Singh, DAG, Haryana
for respondent No.6.

VIKAS SURI, J.(Oral)

1. This revision petition has been filed under Article 227 of the Constitution of India with a prayer for setting aside order dated 22.12.2022 (Annexure P-1) passed by learned Civil Judge (Junior Division), Assandh, District Karnal, whereby application for recounting of votes from EVM has been declined; and with a further prayer that the application for recounting of votes be decided afresh by passing a speaking order and the proceedings before the Election Tribunal be completed within six months.

2. Notice of motion in the instant revision petition was issued vide order dated 07.08.2023 and the respondents stand served. Mr.



Naresh Kumar, Advocate for Mr. Bhupender Singh, Advocate, has entered appearance on behalf of respondent Nos.8 to 10 and has filed his respective power of attorneys in the Court, which are taken on record. Respondent No.6 has filed its reply by way of affidavit dated 30.01.2024.

3. After arguing for some time, learned counsel for the petitioner, inter alia, submits that the election petition was instituted in November, 2022 and the parties stand served. The proceedings before the Election Tribunal are still pending as such.

4. Learned counsel for the petitioner states that he does not press the present petition against the impugned order and the petitioner would be satisfied at this stage, in case a direction is issued to the Tribunal to decide the election petition within a time bound manner.

5. Learned counsel appearing for the respondents do not seriously oppose the limited prayer noticed above.

6. Learned counsel for the petitioner has referred to the judgments of the Coordinate Benches of this Court in the case of **Saroj Rani vs. Election Tribunal and others**, bearing CR No.3427 of 2015, decided on 28.05.2015; **Sakunat vs. Kherunisha and others**, bearing CR No.7414 of 2018, decided on 31.10.2015 and **Bhagwan Dass vs. Election Tribunal-cum-Civil Judge Senior Division, Panipat and others**, bearing CR No.964 of 2023, decided on 10.03.2023 wherein in somewhat similar circumstances, directions have been issued to the Election Tribunal to decide the election petition in a time bound manner.



7. I have heard learned counsel for the parties and perused the record with their able assistance.
8. In view of the above, without observing anything on the merits of the case, the present petition is disposed of with a direction to learned Election Tribunal to make all endeavour to conclude the trial expeditiously, preferably within a period of six months from the next date fixed before it and dispose of the election petition, in accordance with law.
9. Revision petition stands disposed of in the aforesaid terms.
10. Pending applications, if any, also stand disposed of.

August 09, 2024
sumit.k

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No
Whether Reportable : Yes / No