

CWP-23251-2021 and connected cases

226(6 cases)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1)	CWP-23251-2021	
Jagjit Singh		...Petitioner
Versus		
State of Punjab and others		...Respondents
(2)	CWP-23252-2021	
Shivraj Singh		...Petitioner
Versus		
State of Punjab and others		...Respondents
(3)	CWP-23253-2021	
Amritpal Singh		...Petitioner
Versus		
State of Punjab and others		...Respondents
(4)	CWP-23254-2021	
Jagdeep Singh		...Petitioner
Versus		
State of Punjab and others		...Respondents



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(5)

CWP-23265-2021

Tej Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(6)

CWP-23268-2021

Manjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Date of decision:-22.10.2024

CORAM: HON'BLE MR.JUSTICE SUVIR SEHGAL

Present: Mr. D.V. Sharma, Senior Advocate with
Mr. Sukhbeer Singh, Advocate and
Mr. Manbir Singh, Advocate for the petitioner (s)
in all cases.

Mr.Rohit Ahuja, DAG, Punjab
for respondents No.1 to 4 in all cases.

Mr.Ashwani Prashar, Advocate
for respondent No.5 in all cases (THROUGH V.C.)

Mr.Anupam Bhardwaj, Advocate
for respondent No.6 in all cases.

SUVIR SEHGAL, J.(ORAL)

1. This order shall dispose of all the above-noted writ petitions as they involve common questions of law and fact. For the sake of convenience, factual position is being taken from CWP-23251-2021.



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2. Instant writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, for issuance of a writ in the nature of mandamus directing respondents No.4 and 5 to bring on record the order rejecting the nomination papers of the petitioner from Zone No.4 and after perusing it, a writ in the nature of certiorari be issued quashing the rejection order and for setting aside the elected candidate – respondent No.6.

3. Upon notice by this Court, writ petition has been contested by the respondents by filing separate written statements, *inter alia*, on the ground that the petitioner has an alternative remedy of election petition under the Punjab Cooperative Societies Act, 1961.

4. At this stage, Mr.D.V. Sharma, learned Senior counsel representing the petitioner has placed reliance upon order dated 09.09.2024 passed by a Division Bench of this Court in **LPA No.2153 of 2024** titled as **“Malkiat Singh Versus State of Punjab and others”** and submits that the writ petition be disposed of in terms of the order passed by the Division Bench.

5. Mr.Prashar, who is representing respondent No.5 has made a reference to the written statement to submit that the order rejecting the nomination papers is a part of the response filed by the Returning Officer – respondent No.4. He submits that the order is already a part of the paper-book as Annexure R4/4.

6. In view of the above, writ petition is disposed of. Petitioner is relegated to the remedy of election petition.



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7. In case the petitioner files an election petition within a fortnight from today, the competent authority shall decide it within a period of six months from its institution.

8. All the writ petitions are disposed of accordingly.

22.10.2024

Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No