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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 11.10.2024

1. CWP-26673-2024 (O&M)

Anil Kumar

... Petitioner

Vs.

State of Punjab and others

... Respondents

2. CWP-26704-2024 (O&M)

Devi Lal

... Petitioner

Vs.

State of Punjab and others

... Respondents

3. CWP-26708-2024 (O&M)

Harbans Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

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4. CWP-26712-2024 (O&M)

Kuljeet Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

5. CWP-26733-2024 (O&M)

Harjinder Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

6. CWP-26743-2024 (O&M)

Gurmel Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

7. CWP-26749-2024 (O&M)

Jatinder Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents



8. CWP-26755-2024 (O&M)

Komalpreet Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

9. CWP-26767-2024 (O&M)

Harmesh Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

10. CWP-26791-2024 (O&M)

Gursewak Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

11. CWP-26792-2024 (O&M)

Baljit Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents



12. CWP-26794-2024 (O&M)

Amandeep Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

13. CWP-26801-2024 (O&M)

Amrit Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

14. CWP-26805-2024 (O&M)

Rashpal Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

15. CWP-26806-2024 (O&M)

Jaswinder Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

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16. CWP-26812-2024 (O&M)

Harpreet Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

17. CWP-26818-2024 (O&M)

Lovepreet Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

18. CWP-26848-2024 (O&M)

Jaspal Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

19. CWP-26867-2024 (O&M)

Harjeet Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents



20. CWP-26876-2024 (O&M)

Jagjit Singh and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

21. CWP-26899-2024 (O&M)

Sukhjinder Kaur and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

22. CWP-26905-2024 (O&M)

Nahar Singh and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurinder Singh Dhot, Advocate
for the petitioner (in CWP-26673-2024).

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Mr. Luvinder Sofat, Advocate,
Mr. Arjun Kapur, Advocate,
Ms. Mallika Kapur, Advocate
for the petitioner(s) (in CWP-26704, 26708, 26743, 26749, 26755,
26791, 26792, 26794, 26801, 26806 & 26848-2024).

Mr. Harvinder Singh Maan, Advocate
for the petitioner (in CWP-26812-2024).

Mr. K.S. Brar, Advocate
for the petitioner(s) (in CWP-26767-2024).

Mr. Himanshu Raj, Advocate
for the petitioner (in CWP-26867-2024) (*through video conferencing*).

Mr. Akshay Chadha, Advocate
for the petitioner (in CWP-26876-2024).

Mr. Tarun Jhatta, Advocate
for the petitioners (in CWP-26899-2024).

Mr. J.S. Mahal, Advocate
for the petitioner(s) (in CWP- 26712, 26733, 26805 & 26818-2024).

Mr. J.S. Chahal, Advocate
for the petitioners (in CWP-26905-2024).

Mr. Salil Sabhlok, Sr. DAG, Punjab,
Mr. Rajinder Singh Bhatta, DAG, Punjab and
Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Arjunveer Sharma, Advocate
for respondent No.7 (in CWP-26876-2024).

VIKAS BAHL, J. (ORAL)

1. Present order shall dispose of abovementioned 22 civil writ petitions as in all the said petitions, primary prayer is for directing the official respondents to conduct videography of the proceedings at the time of polling and counting of votes in order to maintain transparency and fairness.



2. The Full Bench of this Court in case titled as ***Prithvi Raj Vs. State Election Commission, Punjab and others, passed in CWP-3575-2003, decided on 25.07.2007***, had observed that power of the High Court under Article 226 of the Constitution of India would be available, where exercise of the said power subserves the progress of the election, facilitates its completion and is exercised to further the election process. Reference can also be made to the judgment of the Division Bench of this Court passed in case titled as ***Manjinder Singh Vs. State of Punjab and others, reported as 2019(1) RCR (Civil) 483***, in which, it was observed that it is desirable that proper videography of the proceedings at the time of counting of votes is done to maintain transparency and fairness in the election at grassroots level.

3. Keeping in view the above, we are of the opinion that proper videography of the proceedings, at the time of polling and counting of votes with respect to elections for the posts of Sarpanches and Panches of the Gram Panchayats, regarding which the present writ petitions have been filed, would subserve the purpose of free and fair election and would also facilitate its completion in a fair manner. Thus, all these civil writ petitions are disposed of with the following directions: -

- (i) Concerned Deputy Commissioner-cum-District Election Officer as well as Punjab State Election Commission would ensure that there would be proper videography of the proceedings at the time of polling and counting of votes; both inside and outside the polling

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booths in order to maintain transparency and fairness in the elections and the said videography would be preserved for a period of three years from the date of polling.

(ii) Concerned Senior Superintendent of Police is also directed to provide adequate security for the conduct of the said panchayat elections.

4. With the aforesaid observations made and directions issued, all these 22 civil writ petitions are disposed of.

[VIKAS BAHL]
JUDGE

[HARPREET SINGH BRAR]
JUDGE

11.10.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No