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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28659-2022 (O&M)
Date of decision: 12.02.2024

Sukhwinder Kaur and others

...Petitioners

Vs.

Election Commission, Haryana and others

...Respondents

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

Present: Ms. Anita Sharma, Advocate
for the petitioners.

Mr. Naveen S. Bhardwaj, Addl. AG, Haryana.

Mr. Vinay Singh Rathee, Advocate for
Mr. Surender Pal, Advocate
for respondent No.10.

SUDHIR SINGH, J. (ORAL)

CM-15616-CWP-2023

Prayer in this application is for correction in the head note and
prayer clause of main petition, as date of election has wrongly been typed as
12.11.2021 instead of 12.11.2022.

Notice of the application to counsel opposite.

Mr. Naveen S. Bhardwaj, Addl. AG, Haryana accepts notice on
behalf of official respondents-State and Mr. Vinay Singh Rathee, Advocate for

Mr. Surender Pal, Advocate accepts notice on behalf of respondent No.10 and they have no objection if the aforesaid correction is allowed to be made.

In view of the above, present application is allowed and in the head note and prayer clause of the main petition, date of election is ordered to be read as 12.11.2022 instead of 12.11.2021.

CWP-28659-2022

Prayer in the present writ petition filed by the petitioners is for calling of the relevant record and after perusal of the same, issue a direction to the competent authority to take action against the erring respondents, who removed the names of 27 voters from the voters' list and to declare the elections held on 12.11.2022 of Village Dhurkra as null and void and also to issue directions for re-election after including the names of 27 voters in the voters' list of Village Dhurkra.

In the affidavit of District Development and Panchayat Officer, having additional charge of Block Development and Panchayat Officer, Block Ambala-I-respondent No.6, already filed by the State, it is stated that since certain necessary corrections have been made in the Vidhan Sabha voters' list and the names were deleted earlier during the panchayat elections, but now the same have already been included in the voters' list.

Learned counsel for the petitioners submits that present writ petition be disposed of, but liberty may be granted to the petitioners to make a representation before respondent No.2-Deputy Commissioner, Ambala, in case they still have any grievance.

In case any such representation is made by the petitioners within a period of 30 days from today, respondent No.2-Deputy Commissioner, Ambala shall consider the same and pass an appropriate 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 stands disposed of.

[SUDHIR SINGH]
JUDGE

[HARSH BUNGER]
JUDGE

12.02.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No