

2024.PHHC.152295



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

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**CWP-31280-2024
Date of Decision: 20.11.2024**

MR. TARLOCHAN SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Roshneel Singh Brar, Advocate
for the petitioner.

Mr. Aditya Sharda, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 25.10.2024 (Annexure P-2) passed by respondent No.4-SDM-cum-Electoral Registration Officer, Malout, Sri Muktsar Sahib, Punjab whereby the application of the petitioner requesting for supply of the documents relating to the election of Panchayat for the post of Sarpanch was dismissed.

Learned counsel for the petitioner contends that despite the petitioner having fulfilled all necessary conditions, the copies of demanded documents have not been supplied to him solely on the ground that the said documents have been sealed in double lock at Treasury Office, Malout and can be made available only after receiving orders of the Court. He contends that the said decision passed by District Election Officer is in contravention of the

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provisions of Rule 39 (2) of The Punjab Panchayat Election Rules, 1994, which mandates the District Election Officer to supply the certified copies of any document relating to an election other than ballot-papers and the marked copy of the roll on payment of statutory fees as may be prescribed. He further submits that although he is ready and willing to make the requisite payment yet the documents are not being supplied to him. He, however, contends that the petitioner would be satisfied at this juncture in case the Deputy Collector-cum-District Election Officer, Sri Muktsar Sahib is directed to look into the grievance of the petitioner and to take necessary action as per law in a time bound manner.

Notice of motion.

Mr. Aditya Sharda, DAG, Punjab accepts notice on behalf of the respondents and submits that he has no objection to the prayer made by learned counsel for the petitioner.

Accordingly, the present petition is disposed of with the consent of the parties and without commenting on the merits of the same with a direction to respondent No.3 to consider the request/application submitted by the petitioner for supplying the certified copies of documents relating to elections mentioned above other than the documents that may be impermissible in law, on payment of statutory fee as may be prescribed and to pass a reasoned and speaking order within a period of four weeks of the receipt of certified copy of this order.

Needless to mention that in case the petitioner is found eligible and entitled to receive the certified copies of the abovementioned documents, the



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same shall be supplied to him at the earliest and preferably within a period of 15 days of such decision.

Disposed of accordingly.

NOVEMBER 20, 2024.
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(VINOD S. BHARDWAJ)
JUDGE

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