

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

2025:PHHC:023369-DB



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CWP-1602-2025

Date of Decision: 18.02.2025.

Jagdish Singh and others

...Petitioners.

Versus

State of Punjab and another

...Respondents.

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

.....

Present: Mr. Ranjeet Singh, Advocate for the petitioners.

Mr. Kuljit Singh, Addl. A.G., Punjab.

SUDHIR SINGH, J. (Oral)

Petition herein is for issuance of a Writ in the nature of Certiorari for declaring the appointment of Sub Divisional Magistrates as Election Tribunals for Gram Panchayat Elections, as unconstitutional; further declaring Section 73 of the Punjab State Election Commission Act, 1994 and relevant provisions of the said Act as ultra vires; further for direction to the State of Punjab and the Punjab State Election Commission to appoint independent and impartial Election Tribunals for resolving disputes under Section 73 of the Act and for quashing notification dated 06.11.2024 (Anneuxre P5).

2. At the outset, learned counsel for the petitioners submit that the petitioners would be satisfied, in case, their pending representation (Annexure P-7) is decided by respondent No.1, which has not been adverted to by the respondents, till date.

3. On the other hand, on advance service of copy of petition, learned State counsel appears and opposes issuance of notice of motion. He submits that grievance of the petitioners will be looked into by respondent No.1 and it shall take decision either way, on pending representation (Annexure P-7) of the petitioners.

4. Given the nature of order being passed, there is no necessity to seek reply by any of the respondents as no further proceedings and/or pleadings are required.

5. Without commenting on merits of the case, the petition is disposed of with a direction to respondent No.1 to consider pending representation (Annexure P-7) of the petitioners and pass an appropriate reasoned order, in accordance with law, at the earliest, preferably within a period of 06 weeks from the date of receipt of copy/ production of this order.

6. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(SUKHVINDER KAUR)
JUDGE

18.02.2025
Komal

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