



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

Sr. No.140

CR-1124-2025

Date of Decision: 24.02.2025

BALJEET SINGH

....Petitioner

Versus

**ELECTION TRIBUNAL-CUM-CIVIL JUDGE (JUNIOR DIVISION),
TOHANA, DISTRICT FATEHABAD AND OTHERS**

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Shivam Sharma, Advocate
for the petitioner.

ARCHANA PURI, J. (Oral)

The petitioner has invoked the jurisdiction of this Court under Article 227 of the Constitution of India, for issuance of direction to respondent No.1 i.e. Election Tribunal-cum-Civil Judge (Junior Division), Tohana, District Fatehabad, to decide the Election Petition No.3 of 2022, dated 01.12.2022, titled '*Baljeet Singh Vs. Pyara Ram and others*' (Annexure P-1), in a time bound manner.

It is submitted by the counsel for the petitioner that the election petition aforesaid, was filed by the petitioner on 01.12.2022 and the evidence of both the sides, has already been recorded. When the case was at the fag end, an application under Order 7 Rule 11 CPC, was filed by respondent No.2 on 05.12.2024, thereby seeking dismissal of the election petition and the same is pending, despite several opportunities having granted by the Court concerned.



From the contents of the petition, it is evident that the election petition is relating to the elections of Panchayat/Sarpanch, where the duration of tenure of the elected Sarpanch/Members is five years. Considering the same, though, time bound direction cannot be given to the Court concerned, without knowing about the pendency of the cases before the Court concerned, but however, looking at the subject matter of the election petition and the duration of tenure of the elected Sarpanch/Members, it is expected and desired of the Court concerned, to decide the election petition in hand, expeditiously, at the earliest possible.

On query by the Court, it has been disclosed that the case was earlier fixed for 20.02.2025, for consideration on the application under Order 7 Rule 11 CPC and now, the same stands adjourned to 27.03.2025.

The date given is unexpectedly long. In the given circumstances, as per the request made to the Court concerned aforesaid, the applicant shall have an option to file an application for preponement of the date of hearing, before the Court concerned and the Court shall consider the same and shall have an option to prepone the date of hearing of the election petition, in view of the contents of the petition.

In view of the aforesaid terms, the revision petition stands disposed of.

24.02.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No