



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

CWP-16692-2026

Date of decision : 22.05.2026

Ranvir Singh

...Petitioner

Vs.

State of Punjab and others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Charanpal Singh Bagri, Advocate and
Ms. Gurjit Kaur, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J.(Oral)

1. In the present petition, the challenge is to the rejection of nomination papers, which the petitioner had submitted to contest the election of Nagar Panchayat, Khamano scheduled to be held on 26.05.2026.
2. Learned counsel for the petitioner submits that the nomination papers have wrongly been rejected, therefore, such orders passed should be set aside and the petitioner should be allowed to contest the elections.
3. Notice of motion.
4. Mr. Jastej Singh, Addl.A.G.Punjab accepts notice on behalf of respondent-State and submits that under Section 74 of the Punjab State Election Commission Act, 1994 (hereinafter referred to as the '1994 Act') the election petition is maintainable for the challenge of elections and in Section 89 of the 1994 Act, grounds for challenge to be raised in the election petition have been given, which also includes the rejection of the nomination papers. Hence,

only election petition can be filed and not the present writ petition.

5. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

6. It may be noticed that as per the settled principles of law laid down by the Hon'ble Supreme Court of India in *N.P.Ponnuswami Vs. Returning Officer, Namakkal, AIR 1952 SC 64* holding that High Courts have no jurisdiction under Article 226 of the Constitution of India to entertain petitions regarding improper rejection of nomination papers. Even a Full Bench judgment of this Hon'ble Court passed in *Prithvi Raj VS. State Election Commission and others, AIR 2007 P&H 178*, it has been held that once the electoral process commences, with the issuance of a notification, under the Municipal Act, any grievance, touching upon an "election" would be justiciable, only by way of an election petition. Interference by Courts in election matters, after the commencement of the election process, would not be permissible.

7. Furthermore, even a Division Bench of this Court in CWP-26745-2024, titled as "*Gurmail Singh Vs. State Election Commissioner and others*", decided on 14.10.2024, wherein more than 888 writ petitions challenging rejection of nomination papers were dismissed on the ground that proper remedy is an election petition and the said view was upheld by Hon'ble Supreme Court of India.

8. Once, it is a conceded fact that the nomination papers have been rejected, the validity of such rejection can only be tested by way of an election petition and not by way of present writ petition especially, the disputed question of fact arises which can only be proved by way of evidence which can

be done while availing the remedy of the election petition.

9. No other argument has been raised.
10. In view of the above, no ground is made out for interference. The petition stands dismissed. However, the petitioner will be free to avail the remedy of filing election petition in case he is still aggrieved after the election.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

22.05.2026
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Whether speaking/reasoned :	Yes
Whether Reportable :	No