



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

134

CWP-16732-2026 (O&M)
Decided on :22.05.2026

UMA GROVER AND ORS

. .Petitioners

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondents

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

PRESENT: Mr.Parambir Singh, Advocate for the petitioners.

Mr. Jastej Singh, Addtional Advocate General, Punjab.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the prayer of the petitioners is that in order to conduct free and fair elections to the respective Municipal Councils/ Nagar Panchayats, which are scheduled to be held on 26.05.2026, the official respondents including Punjab State Election Commission and the officers working for the Commission during the election process, be directed to bring into operation certain requirements, including the installation of CCTV cameras inside and outside the polling booths, as well as at the places where counting of the votes so casted is conducted, as well as the storage rooms where the votes so casted in the election are being kept after polling before the same are counted.

2. Learned counsel for the parties agree that the issue raised in the present petition has already been dealt with by this Court in ***CWP-16135-2026- titled as Amandeep Singh Nagi and others versus State of Punjab, decided 21.05.2026***. Hence, the present petition may also be disposed of in the same terms.

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3. Ordered accordingly.

4. At this stage, learned counsel for the petitioners submits that the grievance being raised is that videography though has been ordered to be done vide order dated 21.05.2026 but inadvertently no direction has been given with regard to the videography of the storage room where the votes will be kept after polling. Further, learned counsel for the petitioners submits that, with regard to the elections of the Municipal Council of Faridkot, apart from the Observers already appointed by the State, two Court Observers for each Municipal Council may also be appointed by this Court for the day of polling, and two Court Observers for each Municipal Council for the day of counting of votes, so as to work along with the official observers so appointed by the State and petitioners will bear the expenses of such Court appointed Observers.

5. It is directed that even such storage room will be videographed continuously from inside as well as from outside also so as to ensure that there is no allegation of any manipulation of the votes so casted, and qua their safe keeping after the polling is over and before the counting of such votes casted starts. The safe keeping of said storage rooms will also be duly taken care of by providing adequate security so as to avoid any untoward incident. This direction concerns all the Municipal Councils qua which the elections are scheduled for tomorrow i.e. 26.05.2026 or in the first week of June, 2026, as the case may be.

6. Mr. Jastej Singh, learned Additional Advocate General, Punjab, on instructions submits that with regard to the request for appointment of a Court Observer, the same is the prerogative of the Court, however, in case any Neutral/Court Observer is appointed by the Court, the State has no

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objection to the same, as the State is conducting the elections in the manner required as per law.

7. Learned counsel for the respondents-State on instructions further submits that since the prayer is only to appoint Court Observers to work alongwith the Observers already appointed by the Government for the elections of aforesaid Municipal Councils, they have no objection in case such observers are appointed at the cost to be borne by the petitioners, which expenses will also be treated as part of the expenditure incurred by the candidates.

8. It is made clear that the Advocates appointed by the Court to observe the conduct of election, will not be contacted by anyone except Mr.Parambir Singh, Advocate, and that too only under exceptional circumstances in case the situation warrants qua the arrangements to be made for the Court observer and the payment of their fee. Further, it will be the duty of State to grant enough security to the Court observer, who will move along with the other election observer already appointed by the State for the area in question. Both the observers will be provided one vehicle by the petitioners at their own costs on the date when they are to perform the duties of being observer.

9. Qua the appointment of the observer, the Punjab State Election Commission will today forward the names of the Court appointed observer to the concerned Deputy Commissioner to ensure their safety and also to ensure that they work without any fear or any pressure from any corner. Such Court observer appointed will only observe the conduct of election or the counting and give a report of the same to this Court. They will not give any direction to any authority concerned to perform the duty in a particular manner. The

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same will only be done by the State in exercise of its own jurisdiction.

10. The fee to be given to such Court appointed observers, as proposed by the learned counsel for the petitioners, which is accepted by the Court, will be Rs.1 lakhs each. The same will be paid by way of cheques, which will be given to the Court observer before they start performing their duties. Every Court observers so appointed by this Court are directed to carry their identity card so that their registration number can be verified in case somebody wants and they will be in Court dress. Fee of the Court observer will be paid either before start of journey or upon reaching the destination on the date concerned. The petitioners have undertaken that the vehicle will be provided to such appointed Court observer and the journey will start from the High Court premises and the Court observer should reach the premises of this Court well in time so that they can reach before start of the polling or the counting as the case may be which starts at 8.00 a.m. in the morning.

11. It may be noticed that some of the Municipal Councils such as Majitha, Fazilka, Faridkot etc. reaching to which destinations takes more than four hours, hence the Court observer is requested to reach well in time to start their journey for the destination so that they can perform the duties for which they are appointed. The State counsel is requested to inform the authorities concerned to ensure proper security arrangements for the aforesaid Court appointed Observers so that no harm is caused to them in any manner.

12. For Municipal Council, Faridkot , the following Court Observers are appointed for election purposes for 26.05.2026 and for counting purpose for 29.05.2026:-

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No.	Name of the Court observers	P number	Appointed for the day of election on 26.05.2026	Appointed for the day of counting on 29.05.2026
1.	Mr. Suvir Sheokand	PH-328-2000	Election	
2.	Mr. Abhay	PH-3459/2024	Election	
3.	Mr. Rathinder Rathee	P-510-2011		Counting
4.	Mr. Jaskaran Singh	PH-10394-2025		Counting

13. At this stage, learned counsel for the petitioners submits that the order passed by this Court wherein, directions have been given to the Deputy Commissioner to decide the representation filed by the candidates whose nominations have been rejected or where the nomination of the other candidates have been accepted, the said liberty granted to decide the representation is being misused so as to cancel the accepted nomination of candidates under the garb of said liberty granted by passing of such order on the representation of the candidates so received. Hence, the same be clarified so that, the order passed by this Court is not misused to achieve ulterior purpose.

14. It may be noticed that any directions given by the Court to decide a representation, the authorities concerned are bound to decide the said issue in accordance with law keeping in view the jurisdiction to decide the said issue especially keeping in view the settled principle of law. Any misuse of the order passed by this Court, to achieve ulterior purposes so as to reject the accepted nomination based upon facts will be strictly viewed and in case it is found that any order passed by the Deputy Commissioner on representation so received was beyond his/her jurisdiction keeping in view the provisions of the Punjab State Election Commission Act, 1994 as well as the settled principle of law with regard to the acceptance or the rejection of the nomination as well as consideration of same after the schedule for finalizing the nomination papers had attained finality, this Court will direct to initiate disciplinary proceedings against such officer even if, such fact of misusing of the order passed by this Court is brought to the notice of this

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Court after the conduct of the election. Hence, the Deputy Commissioner concerned should pass appropriate order keeping in view the jurisdiction which exists with such authority as per settled principle of law much less to misuse any order passed by this Court to achieve ulterior purpose.

15. The State is directed to bring to the notice of all the Deputy Commissioner concerned the present order being passed so as to inform that any misadventure at their part can result into serious consequences to be faced by such officers, who will pass the order without jurisdiction or to misuse the order passed by this Court to achieve ulterior purpose.

16. The Court Observers so appointed by this Court will submit their report after performing the duties as assigned to them.

17 The order so passed is directed to be conveyed to the District Administration by the Punjab State Election Commission for information and necessary compliance and the same will be the duty of the State to do the needful.

18. The expenses which are to be paid to the Court Observers will be treated as electoral expenses incurred by the candidates. Since for one Municipal Council two observers have been appointed and the expenses paid to them will be equally divided between all the petitioners for the purpose of counting their poll expenses.

19. The present petition is disposed of in above terms.

20. Pending civil miscellaneous application(s), if any, stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

22.05.2026

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Whether speaking/reasoned: Yes/~~No~~

Whether Reportable: ~~Yes~~/No

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