

**CWP-18532-2026****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(177)****CWP-18532-2026****Date of Decision : May 29, 2026****Manjit Singh Sethi****.. Petitioner****Versus****State Election Commission, Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA****Present:** Mr. Manish Soni, Advocate, for the petitioner.Mr. Jastej Singh, Addl. Advocate General, Punjab
(through VC)**HARSIMRAN SINGH SETHI J. (ORAL)**

1. Present petition has been filed for the appointment of Court Observer to supervise and videography of the counting process of the votes polled in Ward No.6 of Municipal Corporation, SAS Nagar, Mohali, which is going to start today at 08:00 A.M.
2. This petition has been fixed early morning raising apprehension that counting process might not be in accordance with law and therefore, not only the counting should be videographed, but also the Observer should be appointed by the Court at the expenses of the petitioner to supervise the same.
3. Notice of motion.
4. Mr. Jastej Singh, learned Addl. Advocate General, Punjab, who has joined the proceedings through video conferencing, accepts notice on behalf of the respondent-State.
5. Learned counsel for the respondent-State submits that due

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arrangement for the counting process has already been made and the orders to streamline the counting process have already been passed by this Court, which will be implemented even qua the counting of votes in Municipal Corporation, SAS Nagar Mohali including the installation of CCTV cameras for covering the voting process so as to eliminate any apprehension.

6. Learned State counsel submits that though the counting observers are appointed by this Court but the same are with the consent of the State but nothing untoward has been brought to the notice of this Court that the Court Observer should be appointed at the eleventh hour when the counting is about to start.

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

8. The detailed order with regard to the procedure to be adopted for free and fair voting/counting of the votes has already been passed by this Court in ***CWP No 17118 of 2026 titled Anita Bhalla and others Vs. State Election Commission, Punjab and others decided on 25.05.2026 and other cases*** wherein, directions have already been given to the authorities concerned to put the CCTV cameras etc. throughout the counting centres so as to eliminate apprehension at the minds of contesting candidates.

9. Once, such general directions have already been given to be followed qua all Municipal Corporation/Councils, the apprehension raised by the petitioner should have been eliminated by now.

10. Learned counsel for the petitioner submits that something happened yesterday where, the petitioner was directed not to approach the counting centre which has caused apprehension due to which, he wants a

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Local Commissioner appointed to supervise the counting at the cost of the petitioner. He submits that let the counting process start at the time but, the Court Observer should reach as soon as possible so as to supervise the remaining counting process.

11. It may be noticed that though we are satisfied that authorities will adhere to the directions already given by this Court qua the procedure to be adopted while counting of the votes and the apprehension of the petitioner is a mistaken belief but still, in order to eliminate even such kind of apprehensions, the Court decides to appoint a Court Observer to observe the counting process of Ward No.6, Municipal Corporation, SAS Nagar Mohali.

12. As noticed above, we are not having any apprehension that the State will perform its duty keeping in view the order already passed but as the Court Observers were appointed on the asking of the candidates earlier also, and the payment to the Court Observer to be done from his/her own pocket by the candidate concerned which payment will be taken as a poll expense, let Mr. Sudhir Paruthi, Advocate, Enrollment No.P/640/1989 be appointed as the Court Observer to supervise the counting process of the Election of Ward No.6, which is to be held in Phase 7, Mohali. The petitioner has undertaken to pay a sum of Rs. 1 lakh.

13. The Court observer so appointed by this Court is directed to carry his identity card so that his registration number can be verified in case somebody wants and he will be in Court dress. Fee of the Court observer will be paid either before start of journey or upon reaching the destination. The Court Observer is directed to reach the venue of the counting of the

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votes hold for Ward No.6, which is scheduled to be held in Phase 7, Mohali, at the earliest.

14. Upon showing the present order, the authorities relating to the counting process, will allow the Court Observer to supervise the same.

15. It is directed that the Court Observer will not interfere in any manner with regard to the counting process but only observe and make a report to this Court.

16. The Court Observer so appointed by this Court will submit his report after performing the duties as assigned to him.

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 Observer will be treated as electoral expenses incurred by the candidate.

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

20. Copy of this order be given to Mr. Sudhir Paruthi, Advocate, Enrollment No.P/640/1989 under the signatures of Bench Secretary.

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

(HARSIMRAN SINGH SETHI)
JUDGE

May 29, 2026
harsha

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No