
(2013) 07 P&H CK 0517
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 13763 of 2013

Rajinder Pal Singh and Another	Vs	APPELLANT
State of Punjab and Others		RESPONDENT

Date of Decision : 02-07-2013

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2013) 07 P&H CK 0517

Hon'ble Judges : Satish Kumar Mittal, J; Mahavir S. Chauhan, J

Bench : Division Bench

Advocate : P.P.S. Brar, for the Appellant;

Judgement

Satish Kumar Mittal, J.—The petitioners, who are residents of villages Kothe Mehlaad, Block Kotkapura, District Faridkot, have filed the instant petition under Articles 226/227 of the Constitution of India for quashing the order dated 24.6.2013 Annexure P1 whereby their nomination papers for the post of Sarpanch/Panch of the said Gram Panchayats have been rejected. It is the case of the petitioners that their nomination papers have been wrongly rejected by the Returning Officer.

2. After hearing learned counsel for the petitioners we are not inclined to entertain this petition, as the election process has already started. The elections are scheduled to be held on July 03, 2013. The petitioners have an effective alternative remedy to challenge the election of the successful candidate on the aforesaid ground. Thus, in view of these facts and the law laid down by the Hon'ble Supreme Court in N.P. Ponnuswami Vs. Returning Officer, Namakkal Constituency and Others, Boddula Krishnaiah and another Vs. State Election Commissioner, A.P. and others, and Election Commission of India Through Secretary Vs. Ashok Kumar and Others, , at this stage, this petition cannot be entertained. Dismissed with liberty to the petitioners to avail the alternative remedy of filing the election petition challenging the election of the successful candidate on the aforesaid ground.