



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

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**FAO-5026-2024 (O&M)
Date of decision : 07.05.2025**

Rajbeer Kaur

..... Appellant

versus

**Presiding Officer, Election Tribunal-cum-Sub
Divisional Magistrate, Ferozepur & others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Nitin Meel, Advocate
for the appellant.

Mr. K.B. Raheja, Advocate
for the respondents.

PANKAJ JAIN, J. (Oral)

CM-19275-CII-2024

This is an application for condonation of delay of 08 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed. Delay of 08 days in filing the appeal stands condoned.

FAO-5026-2024 (O&M)

1. The present appeal is directed against order dated 20.08.2024 passed by Election Tribunal, Ferozepur.

2. Counsel for the appellant has drawn my attention to the operative part of the impugned order, whereby though findings of fact have been recorded in favour of the appellant-the election candidate, however, the election petition has been allowed against him only on the ground that he failed to appear despite service.



3. The respondent is also before this Court in cross objections aggrieved of the factual findings recorded by the Tribunal. Mr. Raheja submits that the aforesaid factual findings have been recorded only with an intent to save the returning officer.

4. The matter is remitted back to the Tribunal. The election petition be decided afresh within a period of three months.

5. Accordingly, the present appeal is disposed off.

6. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

07.05.2025

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Whether speaking/reasoned : Yes

Whether Reportable : No