

2025.PHHC.035922-DB



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

CWP-6931-2025 (O&M)

Date of decision: 12.03.2025

SURENDER SINGH

.....Petitioner

Versus

STATE ELECTION COMMISSIONER, HARYANA & ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present:- Mr. V.M. Handa, Advocate for the petitioner.

Mr. A.S. Shera, Advocate for the respondents-Caveator.

SUDHIR SINGH, J.

The petitioner seeks quashing of the impugned order dated 05.02.2025 (Annexure P-1) passed by the respondent No.2- Assistant Election Commissioner, State Election Commission, Haryana, alleging the same to be illegal, arbitrary, discriminatory and against the statutory provisions of the Haryana Municipal Corporation Act, 1994.

2. It is the case of the petitioner that vide notification dated 04.02.2025, general elections to the various Municipal Corporations; Municipal Councils and Municipal Committees in the State of Haryana were notified. The petitioner claims himself to be one of the

contesting candidates from Ward No.20, Municipal Corporation, Rohtak, wherein the polling was scheduled for 02.03.2025 and the counting of votes on 12.03.2025. It is further the case of the petitioner that apart from him, there were other persons, including, Sh. Parveen Kaushik, contesting from same ward. Said Parveen Kaushik had earlier been disqualified from contesting the election for five years from the date of passing of the order by the Assistant Election Commissioner on 18.01.2021 (Annexure P4). It is further the case of the petitioner that with the issuance of the aforesaid notification, said Parveen Kaushik, hurriedly preferred an appeal before the Appellate Authority against the order dated 18.01.2021. The said appeal was accepted and his disqualification was revoked.

3. Learned counsel for the petitioner has vehemently contended that the conduct of the aforesaid Parveen Kaushik in preferring an appeal after a period of four years from the passing of the order of his disqualification and passing of an order in the said appeal by the Appellant Authority is contrary to the provisions of Haryana Municipal Corporation Act, 1994. It is further argued that once, the elections had been notified, respondent No.2 was not justified in passing the order revoking the disqualification of said Parveen Kaushik.

4. We have heard the learned counsel for the petitioner and have also gone through the impugned order.

5. At the very outset, it may be noticed that revoking of the disqualification of aforesaid Parveen Kaushik was an order passed by the authorities in exercise of quasi judicial power. The petitioner

could not satisfy this Court about his *locus* to challenge the said proceedings. He could also not point out as to in what manner he is aggrieved of the order passed in respect of the aforesaid Parveen Kaushik. Moreover, as per the contention of the learned counsel for the petitioner the elections have already been held.

6. In view of the above, we do not find that any case is made out for interference in the present writ petition.

7. In view of the above, finding no merit in the present petition, the same is hereby dismissed.

8. Pending application(s), if any, shall stand disposed of.

[SUDHIR SINGH]
JUDGE

[SUKHVINDER KAUR]
JUDGE

12.03.2025

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No