



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

**(213) CWP-23112-2025  
Date of Decision : August 19, 2025**

**Chamkaur Singh .. Petitioner**

**Versus**

**State of Punjab and others .. Respondents**

**(214) CWP-23222-2025**

**Jaswinder Kaur .. Petitioner**

**Versus**

**State of Punjab and others .. Respondents**

**(215) CWP-23223-2025**

**Karamjit Kaur .. Petitioner**

**Versus**

**State of Punjab and others .. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Shiv Kumar Sharma, Advocate, for the petitioner(s)  
in all petitions.

Mr. Rahul Rampal, Addl. Advocate General, Punjab.

Mr. Pankaj Bains, Advocate, for respondent No.3  
in all petitions.

**HARSIMRAN SINGH SETHI J. (ORAL)**



1. By this common order, three writ petitions, the details of which have been given in the heading, are being disposed of as all these petitions involve the same question of law on similar facts.

2. In the present writ petitions, the challenge is to the order dated 28.07.2025 (Annexure P-1) passed by respondent No.2-Sub Divisional Magistrate, Nihal Singh Wala, District Moga by which, re-count of the votes has been ordered.

3. Learned counsel for the petitioner(s) argues that without there being any evidence on record to show that there has been incorrect counting of the votes or any vote was wrongly rejected, recount of the votes has been ordered solely on the ground that difference of margin between the winning and the losing candidates is very less, which is incorrect reason.

4. Learned counsel for the petitioner(s) further submits that the said reason given and that too without there being any evidence on record to show that incorrect counting or incorrect cancellation of vote has happened, the impugned order dated 28.07.2025 (Annexure P-1) is liable to be set aside.

5. Learned counsel appearing on behalf of the private respondent No.3 submits that he has no objection in case the order dated 28.07.2025 (Annexure P-1) is set aside for reconsideration upon the issue at the hands of the concerned Sub Divisional Magistrate keeping in view the evidence which will be brought on record so as to pass appropriate order qua the aspect that whether recounting of the votes, in the facts and circumstances of the present case, keeping in view the evidence brought on record, is necessary or not.



6. Keeping in view the above, the impugned order dated 28.07.2025 (Annexure P-1) in all the writ petitions is set aside. The case is remanded back to the Sub Divisional Magistrate, Nihal Singh Wala, District Moga to pass a fresh order in view of the facts and evidence brought on record qua the aspect that whether, recounting of the votes is necessary or not in the present case.

7. The present writ petitions are disposed of in above terms.

8. A photocopy of this order be placed on the file of other connected case.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**August 19, 2025**  
*harsha*

**(VIKAS SURI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No