

Pankaj Negi & Ors. Vs. State & Ors.

CWP No. 3118/2026

01.04.2026 Present: Mr. Paresh Sharma and Mr. Alok Ranjan, Advocates, for the petitioners.

Mr. Y.P.S. Dhaulta, Mr. L.N. Sharma, Additional Advocates General with Ms. Seema Sharma, Deputy Advocate General and Mr. Rajat Choudhary, Assistant Advocate General, for respondents No.1, 3 to 6.

Mr. Surender Sharma, Advocate for respondent No.2.

Learned Assistant Advocate General submits that respondents No.1 does not intend to file any reply to the writ petition. Learned Assistant Advocate General further submits that respondents No.3 & 6, shall adopt the reply filed by respondents No.4 & 5.

2. Learned counsel for respondent No. 2 submits that the said respondent does not intend to file any reply, save and except the instructions dated 30.03.2026, which have been placed on record during the course of today's hearing.

3. **Heard.**

4. Learned counsel for respondent No. 2, in terms of instructions dated 30.03.2026, has apprised that another programme for the special revision of electoral rolls has been issued by respondent No. 2 on 18.03.2026, with 01.04.2026 as the qualifying date for an eligible person to be registered in the electoral rolls till 28.03.2026. It is further submitted that objections, if any, preferred by an aggrieved person are to be

decided by 02.04.2026 by respondent No. 5, i.e., the Tehsildar, Tehsil Chopal, District Shimla, acting as the Electoral Revising Authority.

5. An application bearing CMP No. 6146/2026 has been moved by the petitioner, claiming therein that in the premises of one of the electors, certain voters have been shown as tenants, whereas they are not actually tenants/residents of Ward No. 6, Nagar Panchayat, Chopal. Details of such persons have been mentioned in the application. According to the petitioner, the names of the persons mentioned in para 3 have been illegally included in the voter list for the local self-government elections. The relevant part of the pleadings in the application is as under: -

3. *That the applicants/petitioners have come to know that one of the electors in whose premises certain voters are shown to be tenant are actually not the tenants/residents of Ward No.6 Nagar Panchayat (NAC), Chopal. Sh. Balbir Singh owner of house No. 154/1 Ward No.6 Chopal sworn an affidavit that the voters mentioned at Serial no. 79 Ramesh Chauhan and at Serial no. 85 Anshul Chauhan son of Sh. Ramesh Chauhan are not his tenants whereas in the Voter list the said voters are shown to be resident of house No. 154/1 Ward No.6 Chopal. Similarly, voters mentioned at serial no 70,71 and 72 Sh. Chatter Singh, Mamta and Junesh respectively are not residents of house no 149 which is owned by Anirudh Thakur son of his brother late Shri Attar Singh. The affidavit in original is attached as Annexure P-12 alongwith its translated copy as Annexure P-12/T for the kind perusal of this Hon'ble Court.*

4. *That the document sought to be placed on record is essential for the just decision of the present petition as it*

goes to the root of the case and to pronounce judgement on the material and for the substantial cause. It would demonstrate that the respondents have illegally included the strangers/non-residents in the Voter List for the Local Self-Government elections scheduled to be held in near future in Violation of the HP Election Rules, 2015. If it is allowed to continue it would result in biased and rigged elections. The respondents have not carried proper due diligence as required under the HP Election Rules, 2015 for inducting new voters in a particular area. It further casts a serious doubt over impartiality in conducting free and fair election by respondent state. Thus, the new voters added in the various wards of the Nagar Panchayat (NAC), Chopal requires proper inquiry and reconsideration with opportunity of proper hearing to the objectors.

It is, therefore, most respectfully prayed that keeping in view the facts and circumstances, narrated hereinabove, this application may kindly be allowed and the applicants/petitioners may kindly be permitted to place on record of the present petition the affidavit Annexure P-12 in the interest of justice.”

Along with the application, the petitioner has also appended the affidavit of the owner of the house in question, i.e., Sh. Balbir Singh, S/o Sh. Brikam Singh, R/o Ward No. 6, House No. 154/1, Nagar Panchayat Chopal, Tehsil Chopal, District Shimla, Himachal Pradesh, in support of the claims made in the application.

In my considered view, the above is an aspect which is required to be examined & decided by respondent No. 5. Keeping in view the schedule of the special revision of electoral rolls placed on record by way of instructions dated 30.03.2026, let respondent No. 5 examine & delve upon the

contents of this application, which shall be made available to him by the office of the learned Advocate General during the course of the day, before taking any decision.

List on **06.04.2026**.

Jyotsna Rewal Dua
Judge

1st April, 2026 (Rohit)