

D. FALSHAW, C. J.—I agree.
B.R.T.

Falshaw, C.J.

CIVIL MISCELLANEOUS

Before Inder Dev Dua and Daya Krishan Mahajan, JJ.

BINDRA BAN,—*Petitioner*

versus

J. S. QAUMI AND OTHERS,—*Respondents*

Civil Writ No. 1050 of 1964.

*Punjab Municipal Election Rules (1952)—Rule 11—Nomination
papers to be filed between 17th April and 21st April—Nomination*

1964

Sept., 24th.

Bindra Ban
v.
J. S. Quami
and others
—————
Mahajan, J.

nomination paper was filed on the last date and after the specified time. Therefore, this decision does not, in any way, run counter to the view taken by Pandit J. and also endorsed by us.

We wish to make it clear to the returning authorities that it is the substance of the matter which has to be looked at and too much of a technical approach to the rules really defeats the very object for which they are framed. These authorities should be a little more careful while dealing with these matters and should not treat them in an off-hand manner. Such a treatment leads to unnecessary hardship to the people and waste of public time and money.

The net result is that this petition is allowed, the order rejecting the nomination paper of the petitioner along with the order affirming it in revision are quashed and it is directed that the election be held after accepting the nomination paper filed by the petitioner. In the circumstances of this case, however, we will make no order as to costs.

B.R.T.