

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.11539 of 2015

Date of Decision:-17.07.2015

Jai Pal.

.....Petitioner.

Versus

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State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Vikram, Singh, Advocate for the Petitioner.

Mr. Rajesh K. Sheoran, Addl. AG Haryana.

JASWANT SINGH, J.(ORAL)

A resident of village Naultha Dungran, Block Israna, District Panipat is aggrieved by the reservation for office of Sarpanch for his Gram Panchayat in the elections to be held in August 2015 on the ground that since the promulgation of the Haryana Panchayati Raj Act, 1994 providing for reservation for the office of Sarpanch from amongst the Scheduled Caste category by way of rotation, the Gram Panchayat, Naultha had already been reserved for the office of Sarpanch for the Scheduled Caste category in the elections held in the year 2005 had to be now excluded.

It is submitted that since the reservation had been effected for the office of Sarpanch in the year 2005, therefore, the said village had to be excluded from the reservation in the Block till the rest of the villages having population of Scheduled Caste were exhausted for the purpose of

reservation.

Upon notice a reply has been filed by the State.

In the reply it is stated that the Gram Panchayat for the village Naultha Dungran, in question herein, created for the first time in the year 2010 by bifurcation of the earlier Gram Panchayat, village Naultha. Since the reservation for Gram Panchayat, Naultha was provided in the year 2005, the Gram Panchayat of said village Naultha has been excluded for the purpose of reservation of the office of Sarpanch, however, since the Gram Panchayat, Naultha Dungran for the present village is a newly created Gram Panchayat, keeping in view the population it has been placed in requisite order for effecting the reservation of Sarpanch and the same action cannot be held to be illegal in the light of scheme of the Act.

After hearing learned Counsel for the parties and keeping in view the aforestated factual position, no case for interference is made out.

Dismissed.

(JASWANT SINGH)
JUDGE

July 17, 2015
Vinay