

101+217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 14255 of 2015 (O&M)
DECIDED ON: SEPTEMBER 01, 2015

HUKAM SINGH AND ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JASPAL SINGH

- 1. Whether Reporters of local papers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Present: Mr. Naresh Kaushik, Advocate
for the petitioners.

Mr. Anil Mehta, DAG, Haryana.

SURYA KANT, J (ORAL)

CM No. 11339 of 2015

Application is allowed, as prayed for.

Reply filed on behalf of respondents No.1 to 6 alongwith CM is taken
on record, subject to all just exceptions.

CWP No. 14255 of 2015

The controversy pertains to the revised and final wardbandi of village

Dhanora Jagir, Block Indri, District Karnal and the consequential final voter list. The petitioners' case is that pursuant to the State Government Notification, the exercise of revised wardbandi of all the villages has been undertaken and in village Dhanora Jagir also revised wardbandi was notified in January 2015 (P-1). The petitioners were satisfied with that draft Wardbandi and thus they had no reason to file objections. However, the final wardbandi published later on, has reshuffled the draft wardbandi (P-1) and consequently the family members of petitioners have been shifted to different wards.

2. The SDO (C), Indri has filed the written statement justifying the action, as according to him the wards have been allocated on the basis of house numbers of the voters as given in the Assembly Elections Electoral Rolls. On the other hand, the case of petitioners is that the house numbers have been ear marked only for the purpose of dividing the village into different Wards.

3. We have heard learned counsel for the parties and have gone through the record.

4. Since, the petitioners were satisfied with the draft wardbandi (P-1), the plea that they did not submit any objection cannot be entertained against them. They have not been heard before the draft wardbandi (P-1) was altered at the time of final publication. Since the final wardbandi has resulted into segregation of family members of the petitioners into different wards, we are satisfied that the matter requires re-consideration by the next higher authority, namely, Deputy Commissioner, Karnal.

5. We thus, dispose of the instant writ petition with a direction to Deputy Commissioner, Karnal to ascertain the correct facts and if there are no objections

received against draft Wardbandi (P-1), let the same be kept in view while finalizing the Wardbandi. The needful shall be done well in advance before the ensuing elections.

6. Dasti.

**(SURYA KANT)
JUDGE**

**(JASPAL SINGH)
JUDGE**

**SEPTEMBER 01, 2015
SHAM**