

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.16885 of 2015

Date of Decision: August 17, 2015

Avtar Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

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

Present: Mr.Ved Parkash, Advocate, for the petitioners.
Ms.Kirti Singh, Deputy AG Haryana.

-.-

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?

Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 to 5 only at
this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let five copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1 to 5 or to serve respondent No.6 at this
stage as no order prejudicial to its interest is being passed.

The petitioners are statedly residents of Dera
(Dhani) which is located near the godown of Indian Gas

Agency at Safidon and is outside the municipal limits of Municipal Committee, Safidon.

The petitioners' case is that though their land falls within the municipal limits but the residential houses are slightly away from such limits. The petitioners' Dhani has not been included in the voter list of any Gram Panchayat also. The petitioners thus claim that since substantial part of their agricultural land where they are residing falls within the municipal limits of Safidon Municipal Committee, they are entitled to be included in the voter list of Ward No.10 of Municipal Committee, Safidon. The petitioners have been issued ration-cards of Ward No.10. It is also their case that for the purpose of State Assembly elections, their names were included in the voter list of Ward No.10. However, for the purpose of elections of Municipal Council, their names have not been included in the said voter-list. The petitioners in this regard have submitted application dated 22.07.2015 (P-1) to the Deputy Commissioner, Jind. That application was forwarded to the S.D.O. (Civil), Safidon sent it to the Secretary, Municipal Committee, Safidon for enquiry.

In the light of the averments made by the petitioners, we dispose of this writ petition without expressing any views on merits, with a direction to the Secretary, Municipal Committee, Safidon to submit his report to the S.D.O.(Civil), Safidon within a period of three working days and on receipt thereof, the S.D.O.(Civil) shall forward the same to the Deputy Commissioner, Jind within another three working days. The Deputy Commissioner, Jind being the Competent Authority, shall then take an appropriate decision well in advance before the Municipal Council elections are held.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

August 17, 2015
mohinder

[JASPAL SINGH]
JUDGE