

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.19883 of 2015

Date of Decision:- 30.09.2015.

Nasim Ahmed

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 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. Rajesh Bhateja, Advocate for the petitioner.

Mr. B.R. Mahajan, Advocate General, Haryana.

Ms. Kirti Singh, DAG, Haryana.

Mr. Anil Mehta, DAG, Haryana.

SURYA KANT, J. (ORAL)

1.) The grievance of the petitioner in the instant writ petition is that the post of Sarpanch of Gram Panchayat of his village Fardari Block Punhana, Tehsil Punhana, District Mewat should not have been reserved for Scheduled Caste category. According to him, if the criteria as laid down in Section 9 of the Haryana Panchayati Raj Act, 1994 is followed and reservation is rotated amongst the villages having Scheduled Caste population, then there are several villages which ought to have fallen in the said reserved category. That would

have de-reserved the post of Sarpanch of the petitioner's village. The petitioner has, in this regard, relied upon the averments made in Para 5 of his representation dated 13.7.2015 according to which villages 1.) Siroli 2.) Jalika, 3.) Gangwani, 4.) Luhinga Kalan 5.) Sihri Singalheri, 6.) Pamakhera, 7.) Neemka, 7.) Rajpur Rasulpur, 8.) Badli, 9. Khedla Punhana, 10.) Jamalgarh, 11.) Sunhera and 12.) Singar are to be included in the reserved category as the Scheduled Caste population in those villages is much than that of the petitioner's village.

2.) The above stated factual plea raised by the petitioner can be effectively determined by ascertainment of the correct facts. We, thus, dispose of this writ petition with a direction to the State Government and the Deputy Commissioner, Mewat to hold an enquiry and take the consequential follow up action within one week and well before the elections are held.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

September 30, 2015.

sandeep sethi