

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 23721 of 2014 (O&M)

Date of Decision: 28.1.2015

Smt. Urmila Saro

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Rajan Gupta.

Present: Mr. Dr. Surya Parkash, Advocate
for the petitioner(s).

Mr. Saurabh Mohunta, Deputy Advocate
General, Haryana for respondents No.1 to 3.

Mr. Jagjit Singh, Advocate
for Mr. Kunal Dawar, Advocate
for respondents No. 4 to 15.

Rajan Gupta, J.

Learned State counsel, at the outset, submits that in view of Division Bench Judgment rendered in ***Budho Devi v. Deputy Commissioner, Gurgaon 1998(4) R.C.R.(Civil) 80***, members would be entitled to move a fresh “No Confidence Motion” in compliance with the provisions of the statute.

Counsel for the petitioner has no objection to aforesaid proposal. He submits that as long as there is compliance of Rule 72-A of the Haryana Municipal Elections Rules, 1978, fresh “No Confidence Motion” can be considered. Counsel appearing for private respondent has made submissions on similar lines.

Since counsel are *ad idem* that judgment rendered in ***Budho Devi's case (supra)*** is applicable to the instant case, there being no

clear 15 days' notice before the motion was moved, same is hereby quashed. It is made clear that there will be no bar to the fresh "No Confidence Motion" being moved against the petitioner. In case such motion is moved, entire proceedings shall be supervised by the Deputy Commissioner, Palwal in order to avoid any untoward incident. He shall be at liberty to seek assistance of Superintendent of Police of the district.

Allowed in above terms.

(Rajan Gupta)
Judge

January 28, 2015

"DK"