

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 25242 of 2014

Date of decision : 15.01.2015

Bal Ram & anr.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Raj Kumar Garg, Advocate for the petitioners.

Mr. V. Ramswaroop, Addl. A.G. Pb.

RAJAN GUPTA J.

Petitioners have prayed for a writ in the nature of mandamus to direct the respondents not to hold elections of Municipal Committee, Nadala. According to learned counsel, formation of Municipal Committee, Nadala is under challenge. Thus, State Government needs to be restrained from holding election thereto till the decision of the issue regarding creation of Municipal Committee, Nadala.

Learned State counsel has opposed the plea. According to him, notification creating Municipal Committee, Nadala has been challenged in CWP No. 5681 of 2014. However, there is no interim order operating in said writ petition.

I have heard learned counsel for the parties.

It appears that Department of Local Government issued notification dated 12.04.2013 converting Gram Panchayat, Nadala into Nagar Panchayat under the Municipal Act. Said notification has been challenged in CWP No. 5681 of 2014. Admittedly, no interim

direction has been given by the court in said writ petition. Meanwhile, petitioners have preferred present writ petition to restrain the respondents from holding elections to Municipal Committee, Nadala. In my considered view, prayer made in the petition is misconceived. Learned counsel for the petitioners has not been able to show any ground for interfering in the election process initiated by the State Government. It is obligatory on the part of State to hold elections within the period prescribed under Article 243(U) of the Constitution of India. There is no merit in the writ petition. Dismissed.

January 15, 2015

Ajay

(RAJAN GUPTA)
JUDGE