

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 25023 of 2015

Date of Decision: December 01, 2015

Sant Lal

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to implement memo dated 23.04.2015 (Annexure P/3) issued by Director, Development and Panchayats Department, Haryana, thereby ensuring that the number of offices of Sarpanches that are to be reserved, are rotated to different Gram Panchayats first having the largest maximum population of such classes and so on.

Notice of motion.

On the asking of the Court, Mr. Sandeep S. Mann, Senior

Deputy Advocate General, Haryana, accepts notice on behalf of the

respondents.

I have heard learned counsel for the parties and perused the record.

The identical issue as involved in the present writ petition has already been dealt with by a Division Bench of this Court in CWP No. 14079 of 2015 titled “Julfikar Ali vs. State of Haryana and others”, decided on 30.09.2015, wherein it has been held as under:-

“3) The petitioner has today filed an affidavit claiming that in fact there are 23 Gram Panchayats in Block Nagina where a post of Panch is reserved for Scheduled Castes. According to him, the respondents have overlooked the Gram Panchayats of Ghaghas and Hasanpur Nuh where also one post of Panch is reserved for Scheduled Caste and if these two Gram Panchayats are also included, there would be 23 Gram Panchayats amongst whom 11 posts of Sarpanches reserved for Scheduled Caste are to be rotated.

4) As the above stated plea taken by the petitioner is a pure question of fact, we dispose of this writ petition with a direction to the State Government and the Deputy Commissioner, Mewat to ascertain the correct facts and take the consequential follow up action within one week and well before the elections are held.”

The matter in hand is squarely covered by the judgment rendered by the Division Bench of this Court in Julfikar Ali case

(supra). Resultantly, the instant writ petition is disposed of with a direction to the State Government and the Deputy Commissioner, Faridabad to ascertain the correct facts and take decision within a period of three weeks from the date of receipt of certified copy of this order and take the consequential follow up action well before the elections are held.

December 01, 2015

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**[Paramjeet Singh]
Judge**