

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

CWP No.4520 of 2015

Date of decision:24.3.2015

Kartar Singh and others

....Petitioners

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vivek K. Thakur, Advocate for the petitioners.

HEMANT GUPTA, J.(Oral)

The petitioners are residents of Baba Deep Singh Nagar, Kapurthala. Their grievance is that they have been casting votes in the municipal elections since 1992 but in the elections held recently, their names have not been included in the voters' list for the election of Municipal Council. The petitioners have earlier filed a writ petition bearing CWP No.24791 of 2014 in pursuance of which an order has been passed declining the claim of the petitioner.

In terms of the directions, a communication dated 31.12.2014 (Annexure P-11) has been addressed to the petitioners that Baba Deep Singh Colony is situated outside the boundary of municipal limits and that matter is pending regarding notification of the said area in the Municipality.

Since, the locality of the petitioners is not part of the Municipal Council; therefore, they have no right to claim inclusion of their area in the municipal limit for the purpose of election of Municipal Council. The question as to whether the municipal limits

are to be increased so as to include the area of the petitioners by extending the municipal limits of Municipal Council, Kapurthala, is a separate action which is under consideration of the State Government. As and when the State Government decides to extend the municipal limits, the petitioners would be entitled to vote as voters of the Municipal Council.

At this stage, we do not find that the petitioners can make any claim as a voter in the Municipal Council, Kapurthala.

Consequently, the present writ petition is dismissed.

(HEMANT GUPTA)
JUDGE

MARCH 24, 2015
‘D. Gulati’

(LISA GILL)
JUDGE