

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No. 540 of 2015

Date of Decision: January 28, 2015

Jagjit Singh and others

...Petitioners

Versus

State of Punjab and another

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL
HON'BLE MR.JUSTICE DEEPAK SIBAL**

Present: Mr. Bhoop Singh, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab,
for respondent No.1.

None for respondent No.2.

..

SATISH KUMAR MITTAL, J. (Oral)

While challenging the notification dated 16.12.2014 issued by respondent No.1 in exercise of the powers conferred under Section 8 of the Punjab Municipal Act, 1911 read with Rule 4 of the Determination of the number of Elected members and Reservation of offices of Presidents of Municipalities Rules, 1994, re-determining the seats of members reserved for Ladies (including Scheduled Castes Ladies), Backward Classes and General (Male and Female) in the Municipality, learned counsel for the petitioners had raised the following contention before this Court:-

“Learned counsel for the petitioner, while referring to Article 243-T of the Constitution of India and Section 8 (2) of the Punjab Municipal Act, 1911, contends that out of the reservation made for Scheduled Castes category under sub-

clause (1) of Article 243-T of the Constitution of India, not less than one-third seats shall be reserved for women belonging to Scheduled Castes, and in the present case, out of 4 seats reserved for Scheduled Castes category, 1 seat has been reserved for women belonging to Scheduled Castes, which according to the learned counsel is not in consonance with the aforesaid provision, as one-third of “4” comes to “1.33” and in that situation, 2 seats should have been reserved for women belonging to Scheduled Castes.”

After notice, respondent No.1-State has placed on record the fresh notification dated 23.01.2015, modifying the earlier notification dated 16.12.2014, which has been impugned in this petition qua Municipal Council, Dera Bassi. According to the fresh notification, out of 19 wards in Municipal Council, Dera Bassi, four wards have been reserved for Scheduled Castes, including two wards for Scheduled Caste Women, one ward for Backward Classes and the remaining fourteen wards have been kept for General category, out of which five wards have been reserved for General Women.

In view of the subsequent notification issued by respondent No.1-State, the grouse raised by the petitioners in this petition has been redressed. Hence, this petition is dismissed as having become infructuous.

(SATISH KUMAR MITTAL)
JUDGE

January 28, 2015
vkg

(DEEPAK SIBAL)
JUDGE