

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

CWP No.7615 of 2015(O&M)

Date of decision:7.5.2015

Subhash Chand and others

....Petitioners

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ranjit Saini, Advocate for the petitioners.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to an order passed by Sub Divisional Officer (Civil), Thanesar rejecting objections filed by 33 persons including the present petitioners and affirming the delimitation of wards of the Zila Parishad, Thanesar. An appeal against the said order stands dismissed by Additional Deputy Commissioner on 15.04.2015 (Annexure P-6).

Learned counsel for the petitioners vehemently argued that principle of continuity and contiguity has not been maintained while delimiting the wards. The residents of all the wards are aggrieved against the delimitation affected by Sub Divisional Officer (Civil) and affirmed by Additional Deputy Commissioner.

A perusal of the order passed by the Additional Deputy Commissioner shows that the delimitation of wards was finalized after giving opportunity of hearing to all the objectors and that the minimum population of each ward was kept in view which was 40000.

The objections if accepted will affect the norm of population and also principle of continuity.

The delimitation of wards is an issue raised by the residents more for partisan purposes rather than to protect any of their rights. The petitioners continue to be voters of the same Zila Parishad but may be of different ward. No right is affected when the delimitation of wards have been finalized in a particular manner. The statutory appeal has been filed and objections raised by the petitioners have been considered. In exercise of the power of judicial review in the writ petition, this Court examines the decision making process and not the decision itself. There is no procedural irregularity in the decision making process nor the decision making process affects any statutory right of the petitioners.

In view thereof, we do not find any ground to interfere in the delimitation of wards of the Zila Parishad Thanesar.

Consequently, the present writ petition is dismissed.

(HEMANT GUPTA)
JUDGE

MAY 7, 2015
‘D. Gulati’

(LISA GILL)
JUDGE