

CWP No. 891 of 2015

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

CWP No. 891 of 2015 (O & M)

Date of Decision: 23.02.2015

Virender Narang

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. H.S.Sran, Advocate,
for the petitioner.

Dr. Sushil Gautam, DAG, Haryana with
Mr. Satish Kumar Singla, SDM, Fatehabad.

Mr. Mukul Aggarwal, Advocate,
for respondent no.5.

Mr. Sanjiv Gupta, Advocate,
for respondents no.6 to 9.

Paramjeet Singh, J. (Oral)

CM-1655-2015

Allowed, as prayed for, subject to all just exceptions. Written statement filed on behalf of respondents no.6 to 9 is taken on record.

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Instant writ petition has been filed under Articles 226/227 of

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the Constitution of India for issuance of directions to respondents to 1 to 5 to consider and decide the case for removal of respondents no.6 to 10, who are Municipal Councillors, as they have been continuously absent from the meeting for more than three occasions. A prayer has also been made for issuance of directions to the respondents not to hold the meeting of 'no confidence motion' called vide notice dated 29.12.2014 for 20.01.2015.

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

So far as the first prayer of the petitioners is concerned, learned State counsel submits that respondent no.1 to 4 will take appropriate decision in respect of deciding the case for removal of respondents no.1 to 4 which has been pending since 31.10.2014. So far as the second prayer of the petitioner is concerned, learned State counsel after seeking instructions from respondent no.4-Mr. Satish Kumar Singla, SDM, Fatehabad submits that meeting has been held on 20.01.2015 and result has been kept in a sealed box which is produced in the Court today. Although the matter with regard to removal of respondents no.6 to 10 from the post of Municipal Councillors is pending, it does not mean that 'confidence motion meeting' cannot be held.

In view of statement made by learned State counsel, respondents no.1 to 4 are directed to take decision in accordance with

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law with regard to removal of respondents no.6 to 10 from the post of Municipal Councillors within a period of two months from the date of receipt of certified copy of this order.

Respondent no.4 present in Court states that 'no confidence motion' was held in his presence. In view of above, he will be at liberty to break the seal of the box, count the votes forthwith as well as declare the result and may proceed further in accordance with law.

Disposed of in the aforementioned terms.

Copy of this order be given to the State counsel under signatures of the Bench Secretary.

23.02.2015
parveen kumar

(Paramjeet Singh)
Judge