

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.9837 of 2015

Date of Decision:-20.05.2015

Ravinder Kumar

.....Petitioner.

Versus

State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Aakash Singla, Advocate for the Petitioner.

Mr. Pritam Saini, Additional Advocate General, Haryana.

JASWANT SINGH, J.(ORAL)

It is alleged that the implementation of the Reservation for the office of Sarpanch of village Deepalpur in Block Murthal has been incorrectly implemented by draw of lots on 5.5.2015.

It is submitted that the State of Haryana is not following the decision dated 14.09.2010 rendered in Pawan Kumar & Ors. Vs. State of Haryana and connected cases by this Court, whereby the method of implementation of Reservation provided under Section 9(4) of the 1994 Act has been interpreted and the manner laid down.

Upon notice learned State Counsel on instructions from Mr. Suresh Ravish, BDPO states that the Reservation Policy provided under Section 9(4) of the Haryana Panchayati Raj Act, 1994 as interpreted by this Court in a decision rendered in Pawan Kumar & Ors. Vs. State of Haryana

vide decision dated 14.09.2010 is being duly followed as clarified by the supplementary instructions dated 7.5.2015. He further stated that the office of Sarpanch of village Deepalpur in Block Murthal was reserved for Scheduled Caste Women as per draw of lots conducted on 5.5.2015 in accordance with the Rules. It is clarified that for implementing the horizontal reservation for Scheduled Caste Women, the draw of lots is the laid down mechanism under the Rules and hence no illegality has been committed.

After hearing learned Counsel for the parties, this Court is of the opinion that at this stage, the necessary remedial directions have been carried out, however, still in case if there is any faulty implementation of reservation policy at the Block Level, that would provide a separate cause of action to the petitioner.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

May 20, 2015
Vinay