

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 14926 of 2016

Date of Decision: 1.8.2016

Satya Bhama

....Petitioner.

Versus

State of Haryana and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE RAMENDRA JAIN.**

PRESENT: Mr. Sanjiv Gupta, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the election of President and Vice-President, Municipal Committee, Ellenabad, District Sirsa conducted in pursuance to the notices dated 18.7.2016 (Annexure P-2) and dated 19.7.2016 (Annexure P-3). Further, a writ of mandamus has been sought directing respondents No.1 to 4 to conduct fresh elections for President and Vice-President, Municipal Committee, Ellenabad.

2. The election of Municipal Committee, Ellenabad was conducted on 22.5.2016 and the petitioner was elected as Member of Ward No.8, Municipal Committee, Ellenabad, District Sirsa vide certificate dated 22.5.2016 (Annexure P-1). The first notice dated 18.7.2016 (Annexure P-2) was issued for the meeting to be convened on 21.7.2016. However, no

meeting was held on 21.7.2016. Second notice was issued on 19.7.2016 (Annexure P-3). On coming to know about the postponement of the meeting, the petitioner moved a representation, Annexure P-4, to the Chief Election Officer, Chandigarh for cancellation of election of President and Vice President, Municipal Committee, Ellenaband and conducting fresh election, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a representation, Annexure P-4, to the Chief Election Officer, Chandigarh, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representation, Annexure P-4, or any other representation to be filed by the petitioner within a week, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner and respondents No.6 and 7 within a period of 15 days thereafter.

(AJAY KUMAR MITTAL)
JUDGE

August 1, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No