

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 19680 of 2016

Date of Decision: 22.9.2016

Sakib Ali Khan and others

....Petitioners.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. G.N. Malik, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of Mandamus directing respondents No.2 and 3 to call the meeting of municipality to elect the Senior Vice President and Vice President of Municipal Council, Malerkotla, District Sangrur being lying vacant since 8.3.2016.

2. A meeting of the elected Councillors of Municipal Council, Malerkotla, District Sangrura was called and as per the proceedings dated 9.3.2015 (Annexure P-1), Smt. Neena Kinger Councillor was elected as Senior Vice President and Shama Councillor was elected as Vice President of the Municipal Council. Their term was for one year, i.e. upto 8.3.2016. Since then the posts of Senior Vice President and President are lying vacant.

The petitioners and others moved an application dated 7.4.2016 (Annexure

P-2) to respondent No.3 for calling of the meeting of the house to elect Senior Vice President and Vice President, but to no effect. Thereafter, the petitioners moved another application dated 5.5.2016 (Annexure P-3) to respondent No.2 for calling the meeting of Municipal Council, Malerkotla, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have sent an application dated 5.5.2016 (Annexure P-3) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, 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.3 to take a decision on the application dated 5.5.2016 (Annexure P-3), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of one week from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

September 22, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No