

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 23533 of 2016

Date of Decision: 15.11.2016

Nasrudin

....Petitioner.

Versus

State of Haryana and others

...Respondents.

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

PRESENT: Mr. Vishal Mittal, 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 Mandamus directing respondents No.2 and 3 to decide his representation dated 30.8.2016 (Annexure P-2) for correction of division of wards at old Faridabad.

2. The petitioner's family is residing in Prem Nagar Colony, Old Faridabad for the last 40 years and since then Prem Nagar Colony was situated in Ward No.29. In 2015, when the wards were divided, the area of Prem Nagar Colony was divided in two different wards, i.e. half in Ward No.29 and other half in Ward No.28. Prior to the division of the wards, when Prem Nagar Colony was in Ward No.29, the respondents had made Ward No.29 as Scheduled Caste Ward as there were no SC voters. Some of the aggrieved persons approached this Court and the matter was decided in

their favour and Ward No.29 was made as General Ward. Due to division of Prem Nagar into two wards, one family members were separated in two different wards which is clear from the Map (Annexure P-1). The petitioner and other persons had moved 244 applications against the said division, but to no effect. Thereafter, the petitioner moved a representation dated 30.8.2016 (Annexure P-2) to respondent No.2 for separation of Ward No.28, Faridabad from consolidation/wardbandi, 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 dated 30.8.2016 (Annexure P-2) to respondent No.2, 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 dated 30.8.2016 (Annexure P-2), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

November 15, 2016
gbs

(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No