

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5406 of 2016
Date of Decision:-21.3.2016.

Ram Kumar Saini

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

1. Whether Reporters of 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. Sachin Mittal, Advocate for the petitioner.

SURYA KANT, J. (ORAL)

- 1.) Notice of motion to respondent Nos.1 and 3 only. On our asking, Mr. Gaurav Goel, Assistant Advocate General, Haryana accepts notice on their behalf. Let two copies of the writ petition be supplied to the learned State counsel during the course of day, failing which the writ petition shall stand dismissed for want of prosecution.
- 2.) Since no order prejudicial to the interest of respondent No.2 is being passed, it is not necessary to call upon it at this stage.
- 3.) The petitioner is a resident of Ward No.19 of Tehsil Sohna, District Gurgaon. He questions the decision taken by the Authorities in reserving Ward No.19 for Scheduled Caste category.

The above-stated Ward has been reserved after completion of delimitation exercise whereunder the total Wards of Municipal Council, Sohna have been increased from 15 to 21. It is claimed that in Ward No.19, there are only 377 Scheduled Caste voters which is the lowest population as compared to other Wards. However, by depicting the wrong figures in respect of Scheduled Caste population in other Wards that Ward No.19 has been reserved for Scheduled Caste category. We find that the above stated issue has been raised by the petitioner vide representation dated 20.1.2016 (P-3). Since the question of fact raised by the petitioner can be gone into by the respondent-Authorities, we dispose this writ petition without expressing any views on merits with a direction to the Deputy Commissioner, Gurgaon and the State Election Commission to consider and decide the above stated representation well before the Municipal elections are held.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

March 21, 2016.

sandeep sethi