

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.27568 of 2017.

Date of Decision: December 04, 2017

Surat Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.H.S.Bath, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner has laid challenge to the information received by him under the Right to Information Act whereby the Executive Officer of Municipal Council, Dharamkot, has vide memo dated 29.11.2017 (P-5) given the details of votes of each ward of the Municipal Council. The petitioner's case is that the formation of wards with disproportionate votes amounts to violation of Rule 6(b) of Delimitation of Wards of Municipalities Rules, 1972, according to which, each municipality should be divided into wards in such a manner that the population of each ward as far as practicable is same with a variation upto 10% above or below the average population. It is alleged that difference of votes between some of the wards is more than 10%.

We are, however, not impressed by the contention. The Rule specifically says that variation of 10% will be a guideline as far as it is practicable. It is not a Rule mandatory in nature that the variation of more than 10% would render the action illegal. The petitioner has failed to suggest any alternative recourse which would have led to the formation of

wards with less than 10% variation. That apart, it is an administrative exercise to be carried out by the authorities keeping in view the guidelines which are inbuilt in the Rules. We do not find violation of any rule. No case to interfere with the impugned action is made out.

Dismissed.

[SURYA KANT]
JUDGE

December 04, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No