

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.25119 of 2018

Date of Decision : 01.10.2018

Sukhpal Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Gaurav Sharma, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

This petition has been filed by the petitioner with a grievance that the no confidence motion carried against him was in contravention of the procedure envisaged under the Punjab Municipal Act, 1911 (hereinafter referred to as 'the Act').

Although in the body of the petition violation of Sections 25 and 29 of the Act has been alleged but during the course of arguments the only grievance raised before us was that the agenda of the meeting was never circulated. We notice that Annexure P-2 was issued by the Executive Officer urging the petitioner, who was the President, to call a meeting but the petitioner himself defaulted. The plea taken up before us is that he was incapacitated on account of a fracture and in this regard reference has been made to the medical record.

We are of the opinion that once the petitioner was on notice to requisition a meeting, it was his bounden duty to do so. He

ought to have informed the Executive Officer or the members of the Committee about his inability to attend to his duties.

Learned counsel for the petitioner candidly states that there is no material with him that would indicate such a course being adopted by the petitioner. It is said that the petitioner verbally informed all concerned.

We are of the opinion that the petitioner's plea in this regard cannot be accepted. Since he was on notice, it was his duty to call a meeting and in the absence of which he cannot make a grievance when he himself adopted an escapist attitude.

Dismissed.

(MAHESH GROVER)
JUDGE

01.10.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No