

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5110 of 2018 (O&M)
Date of decision: 1.3.2018

Amit Rana

.. Petitioner

v.

The State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA

Present: Mr. Balraj Gujjar and Mr. Shakti Singh, Advocates
for the petitioner.

...

Rajesh Bindal J.

Notification (Annexure P-11) dated 7.2.2018 providing schedule of boundaries of different wards of Municipal Committee, Kalayat, District Kaithal has been impugned by filing the present writ petition.

The contention raised by learned counsel for the petitioner is that as per Section 4 of the Haryana Municipal Act, 1973, inhabitants of the area are entitled to file objections to the notification published by the State declaring its intention to include any area in the municipality or alter its limits. The Deputy Commissioner is the only competent authority which can recommend to the Government on the objections filed by the inhabitants. In the case in hand, the recommendations made by the Deputy Commissioner have not been accepted, rather, the view expressed by the Commissioner has been accepted by the Government, who was not competent.

After hearing learned counsel for the petitioner, we do not find

any merit in the submissions made. It is not in dispute that finally it is the

Government, which has to take a decision on the objections filed by the inhabitants. The Deputy Commissioner may only send his recommendations. The document (Annexure P-10) produced on record (which is in-complete), is a table containing recommendations made by the Deputy Commissioner and the Commissioner. After considering all the aspects, the Government decided to reject the objections filed by the petitioner.

Learned counsel for the petitioner has not been able to point out as to what is the real prejudice caused to him as such warranting interference by this Court.

For the reasons mentioned above, the writ petition is dismissed.

(Rajesh Bindal)
Judge

(B. S. Walia)
Judge

1.3.2018
mk

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