

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

**CWP No.17948 of 2019
Date of decision: 05.07.2019**

Gram Panchayat of village Nasibpur, Tehsil and District Narnaul and others
... Petitioners

Versus

State of Haryana and others
... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Sumit Sangwan, Advocate, for the petitioners.

KRISHNA MURARI, C.J. (Oral)

The sole question raised for adjudication in this petition challenging notifications dated 27.06.2017 & 07.11.2017, issued in pursuance to the provisions of sub-section (1) & (2) and sub-section (3) of Section 4 of the Haryana Municipal Act, 1973, for inclusion within the Municipal Council, Narnaul various Gram Panchayats in the District Narnaul is that a five year term of the elected members of the Gram Panchayats has not yet come to an end. When confronted with the observation with respect to there being any restriction on the right of the State Government to issue a notification during the currency of the tenure of the elected members of the Panchayats, learned counsel failed to point out any such restriction.

The only argument advanced before us is that the elected members may be allowed to complete their term of five years. In our considered opinion, if there is no restriction on the power of the Government

to issue notification for extension of the municipal limits, no exception can be taken to the same on the ground that the terms of the elected members of the Gram Panchayat is subsisting. The consequences of extension of the municipal area as prescribed under law would be automatic, which will follow the issuance of the notification. It may further be relevant to note that the notification, which has been challenged, has been issued almost two years back.

For the aforesaid facts and reasons, there is no scope for interference in the writ petition and the same is devoid of merit and accordingly stands dismissed.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

05.07.2019
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO