

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

**CWP 11551/2020
Date of decision: 10.08.2020**

Asha Rani and others

.....Petitioners

v.

State of Haryana and others

.....Respondents

**Coram: Hon'ble Mr. Justice Jaswant Singh
Hon'ble Mr. Justice Ashok Kumar Verma**

Present:- Mr. Gaurav Aggarwal, Advocate for the petitioners.

Jaswant Singh, J.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court]

Grievance of eight petitioners, who are elected Municipal Councilors of their respective Municipal Council Wards, Sirsa is that election to the post of President / Chairperson, Municipal Council, Sirsa has been ordered to be conducted vide impugned orders dated 30.7.2020 and 4.8.2020 (Annexures P-5 and P-6) without filling up the casual vacancy from Ward No.29 accrued on account of death of Councilor of said Ward. It is averred that the impugned orders are contrary to the provisions under the Haryana Municipal Act, 1973 and the Haryana Municipal Election Rules, 1978.

After arguing for sometime and having failed to show any statutory provision which mandates that the election for the post of President/ Chairperson of a Municipal Council cannot take place in

view of existing vacancy of a Councilor from any Ward, learned counsel seeks permission to withdraw the writ petition with liberty to file a fresh one with better particulars.

Dismissed as withdrawn with liberty to file a fresh one with better particulars.

(Jaswant Singh)
Judge

10.08.2020.
joshi

(Ashok Kumar Verma)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No