

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

CWP No. 12145 of 2020

Date of decision : 05.11.2020

(Heard Through Video Conferencing)

Randeep Singh Deol and others

.... Petitioners

Versus

Union of India and others

... Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present : Mr. Arshdeep Singh Kler, Advocate
for the petitioners.

Mr. S.P. Jain, Addl. Solicitor General of India with
Ms. Shweta Nahata, Central Govt. Counsel
for respondents No.1 and 2.

Mr. S.P.S. Tinna, Addl. A. G. Punjab
for respondents No.3 to 6.

Ms. Anu Chatrath, Senior Advocate with
Mr. Nishant Maini, Advocate and
Mr. Nitin Arora, Advocate
for respondent No.7.

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DAYA CHAUDHARY, J.

Petitioners are aggrieved by impugned order dated 14.07.2020 (Annexure P-2) passed by respondent No.5 – Deputy Commissioner, Sangrur in re-adjusting all the wards of Municipal Council, Sangrur as well as other actions/steps undertaken by respondent No.6 – Sub Divisional Magistrate, Sangrur, which have been stated to be illegal and violative of order dated 06.09.2019 (Annexure P-5) as well as Notification dated 21.11.2019 (Annexure P-7) issued under Rule 8 (iv) of the Census Rules,

1990 by respondent-State of Punjab, whereby administrative boundaries of all the wards in the State of Punjab have been frozen w.e.f. 01.01.2020 to 31.03.2021 as per provisions of the Census Act, 1948.

Learned counsel for the petitioners submits that similar matter *i.e.* CWP No.12436 of 2020 has been disposed of by the Coordinate Bench vide order dated 21.08.2020. He also submits that one other case *i.e.* CWP No.12539 of 2020 filed by one person - petitioner namely Prem Chand Garg has also been disposed of by the Coordinate Bench vide order dated 24.08.2020 with the direction to challenge Notification dated 18.08.2020.

Learned counsel for the Union of India, State of Punjab and other respondents have not disputed this fact.

Learned State counsel submits that nothing remains in the present petition for consideration in view of Notification dated 18.08.2020. He also submits that entire work of Census has been postponed till 31.12.2020.

Heard arguments of learned counsel for the parties. We have also perused orders dated 21.08.2020 and 24.08.2020 passed in CWP Nos.12436 and 12539 of 2020, respectively.

Notification dated 18.08.2020 bearing No. DLG-MSD (Census) 2020/338 as mentioned in order dated 21.08.2020 passed in CWP No.12436 of 2020, is reproduced as under :-

“In supersession of this Department Notification No. DLG-MSD(Census) 2019/453 Dated 21-11-2019, the Governor of Punjab is pleased to extend the date of freezing of administrative boundaries of the districts, tehsils, towns villages etc. in the State of Punjab upto 31st December 2020 for the ensuing Census as per provisions of the

Census Rules, 1990 (Rules 8.iv) to the Census Act, 1948 due to COVID-19 pandemic and postponement of field work of Phase-1 of Census 2021. All the pending proposals, if any, affecting changes in the existing boundaries of towns, revenue villages, tehsils, Community Development Blocks and districts may, therefore, be finalized on or before 31st December 2020 under intimation to the Director, Census Operations, Punjab, Chandigarh. The boundaries of administrative units for the ensuing Census will now be frozen from 31st December, 2020 to till completion of Census”.

In view of submissions made by learned State counsel and the Notification reproduced herein above, the entire work of Census is postponed till 31.12.2020.

Accordingly, by considering the facts and circumstances of the case, we are of the considered view that the present petition does not survive for consideration. However, in case subsequently if the notices impugned in the present petition are survived/revived, it is open for the petitioners to take necessary steps either to challenge the same or otherwise.

Accordingly, the present petition is disposed of.

(DAYA CHAUDHARY)
JUDGE

Dated : 05.11.2020
sunil yadav

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No