

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

115

CWP-12436-2020

Date of decision: 21.08.2020

NEERAJ SAHNI

..Petitioner

V/S

UNION OF INDIA AND OTHERS

...Respondents

**CORAM : HON'BLE MR. JUSTICE S.N. SATYANARAYANA
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Gauravjit Singh Patwalia, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India,
with Ms. Shweta Nahata, Advocate,
for respondents No. 1 and 2-UOI.

Mr. S.P.S. Tinna, Advocate for respondents No. 3 to 6.

S.N. SATYANARAYANA, J.(ORAL)

The petitioner herein is challenging the notification dated 31.07.2020 as well as 06.08.2020 which are at Annexure P-6 and P-8 issued by respondents No. 3 and 4 contending that they are illegal and arbitrary and in violation of order dated 06.09.2019 vide Annexure P-4 issued by respondent No.2 as well as notification dated 21.11.2019 vide Annexure P-5 issued under Rule 8 (iv) of the Census Rules, 1990 by respondent No.3 the department itself and he is also seeking quashing of notice dated 11.08.2020 vide exhibit P-9 issued by respondent No.5 as the same is illegal and arbitrary *inter alia* as well as the delimitation were undertaken by

respondent No.1 in pursuance to notification dated 06.08.2020 vide Annexure P-8 contending that it completely violates Rule 4, Rule 6 and Rule 8 of Delimitation of Wards of Municipalities Rules, 1972 and incomplete violation of notification dated 21.11.2019 vide Annexure P-5 issued under Rule 8 (iv) of the Census Rules, 1990 contending that it would embargo on changing the administrative boundaries of the wards upto 31.03.2021 and in addition to that several prayers are also made.

It is in this context learned counsel appearing for the State Sh. SPS Tinna, Addl. AG, Punjab has filed reply by way of affidavit of Rakesh Kumar, Joint Secretary, Government of Punjab, Department of Local Government, Punjab on behalf of respondents No.3 and 4 where he would bring to notice of this Court through three Annexures which are at Annexure R-3/1, Annexure R-3/2 and Annexure R-3/3 which clearly indicate that the present petition does not survive for consideration in the light of notification dated 18.08.2020 bearing No.DLG-MS(Census)-2020/338 vide Annexure R-3/3 which reads as under:-

“In supersession of this Department Notification No.DLG-MS(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”.

He would further state that the entire work of census is postponed till the end of 31.12.2020.

In the aforesaid facts and circumstances, we are of the opinion that the present writ petition does not survive for consideration. However, subsequently, if the notices impugned are revived, it is open for him to take necessary steps either to challenge the same or otherwise. With such observation, this writ petition is dismissed as become infructuous.

(S.N. SATYANARAYANA)
JUDGE

(ARCHANA PURI)
JUDGE

August 21, 2020
Poonam Sharma

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