

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

107

Civil Writ Petition No.20345 of 2020
Date of Decision: November 27th, 2020

Manbir Singh

...Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. H.S. Brar, Advocate
for the petitioner.

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

Mr. S.P.S. Tinna, Additional Advocate General, Punjab,
with Ms. Malvika Singh, Assistant Advocate General, Punjab,
for respondents No.3 to 6.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Short reply by way of affidavit of the Joint Secretary, Government of Punjab, Department of Local Government, has been filed through email on behalf of respondents No.3 and 4, which is taken on record.

Learned Additional Advocate General, Punjab, has referred to the short reply, which has been filed and has contended that the present writ petition has been rendered infructuous. For the said purpose, he has referred to para 6 of the reply, which reads as follows:-

“Without prejudice to the above, it is further submitted that the present writ petition is also infructuous as due to alteration of municipal/city limits of Municipal Council, Tarn Taran, the Government of Punjab has decided to conduct a fresh delimitation exercise after including more local area into/altering the municipal/city limits. Thus, elections to Municipal Council, Tarn Taran will be conducted only after

completion of such fresh delimitation exercise in terms of the 1972 Rules on account of alteration of municipal/city limits. In this regard the Respondent-State has issued letter dated 20.11.2020 to the State Election Commission Punjab whereby it has been stated that on account of alteration of municipal/city limits of Municipal Council, Tarn Taran, it is not to be included in the Election Schedule and that election to this municipality will be held after including of the new city/municipal limits. A copy of this letter dated 20.11.2020 is annexed herewith as ANNEXURE R-1.”

Reference has also been made to the letter dated 20.11.2020 (Annexure R-1). A perusal of the same also indicates that the Government has taken a decision that the election to the Municipal Council, Tarn Taran, will be held after the inclusion of new boundary. It has also been mentioned that in the light of the above situation, Tarn Taran, Municipal Council, should not be included in the election schedule.

In the light of the above stand taken by the respondents, this Court is also of the view that the present writ petition has been rendered infructuous.

For the sake of clarification, it is pointed out that the notification dated 22.10.2020 (Annexure P-3) shall cease to have any operation. The fresh exercise will be carried out by the competent authority in accordance with law.

The writ petition stands disposed of accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

November 27th, 2020
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No