

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

**CWP No.2474 of 2021  
Date of Decision: 03.02.2021**

Mamta

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present:     Petitioner in person.

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**Through Video Conferencing**

**AUGUSTINE GEORGE MASIH, J.(ORAL)**

The petitioner, who appears in person has projected her grievance in writ petition by asserting that a meeting of no confidence motion, which has been called for 04.02.2021, at 11.00 a.m. relating to the office of the President, Municipal Committee, Kalanaur, has invited all the members of the Municipal Council to participate in the same. It is asserted by the petitioner that three members of the Municipal Committee, Kalanaur, stands disqualified for the reasons that they have not participated in three consecutive meeting of the Municipal Committee. Reference in this regard has been made to the meetings which took place on 03.06.2019, 10.06.2019 and 14.06.2019 qua respondent No.5-Smt. Priyanka Punyani wife of Sanjay Punyani and respondent No.7-Smt. Kamlesh wife of Virender Pal and as regards respondent No.6-Smt. Rubi wife of Rajesh Kumar, she did not attend four consecutive meetings, i.e. 03.06.2019, 10.06.2019, 14.06.2019 and 05.08.2019. On this case, it has been asserted that as per Section 14(C)

of the Haryana Municipal Act, 1973, the State Government has the powers to disqualify the Member of the Committee, who has absented himself/herself for more than three consecutive meetings of the Committee. She therefore contends that these three former members of the Municipal Committee, i.e. respondents No.5 to 7 could not participate in “No Confidence Motion”. She however, submits that the said aspect has not been brought to the notice of the Government/competent Authority till date as the responsibility to send such communication was with the Secretary of Municipal Committee which has not been so conveyed. A prayer has, thus, been made for withdrawal of the present writ petition with liberty to submit a representation to the competent authority at the first instance.

Prayer made by the petitioner is accepted. The writ petition is permitted to be withdrawn with liberty to the petitioner to submit a representation to the competent authority highlighting these aspects and bringing it to the notice of the said authority, the provisions of the Statute and the consequences thereof. In case, such representation is submitted by the petitioner, the decision shall be taken by the said authority within a period of one week from the date of submission of the said representation. The decision so taken be conveyed to the petitioner forthwith.

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

**(ASHOK KUMAR VERMA)**  
**JUDGE**

**February 03, 2021**

*Davinder Kumar*

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