

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

113

(PROCEEDINGS THROUGH V.C.)

CWP-8167-2021

DATE OF DECISION: APRIL 09, 2021

Sunil Kumar

.....Petitioner

VERSUS

State of Punjab and another

....Respondents

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

Present: Mr. Rituraj Singh, Advocate,
for the petitioner.

Mr. S.P.S.Tinna, Addl.A.G., Punjab,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for issuance of a writ in the nature of certiorari for quashing of notification dated 16.02.2021 (Annexure P-2) and letter/communication dated 01.04.2021 (Annexure P-3) on the plea that the language, which is being followed in the State of Punjab is Punjabi (Gurmukhi) and as per the provisions, the reservation has to be carried out by rotation as per alphabetical order being conducted in English even when the State has notified Punjabi as an official language. He asserts that following the alphabetical order of rotation purpose for reservation, taking English as a language for the said purpose, is not sustainable.

This plea of learned counsel for the petitioner cannot be accepted in the light of the fact that nothing has been mentioned in the statute itself, entitling that reservation of the seats has to be made in an alphabetical manner taking Punjabi as the language. A perusal of Rule 5 (1) of the Determination of the number of Elected members and Reservation of Offices of Presidents of Municipalities Rules, 1994 would leave no manner of doubt that there is no mandate with regard to the reservation to be made on the basis of alphabetical order in Gurmukhi. It has also been brought to the notice of this court by the counsel for the State that it has all through been done on the basis of alphabetical order taking English language, earlier also.

In the light of the above, we do not find any ground to interfere in the present writ petition while invoking jurisdiction under Article 226/227 of the Constitution of India. The writ petition, therefore, stands dismissed.

(AUGUSTINE GEORGE MASIH)
JUDGE

April 09, 2021
khurmi

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No