

S.No.110

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

**CWP No.9200 of 2021
Date of Decision:31.08.2021**

Karnail Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

(Heard through VC)

**CORAM:- HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MR. JUSTICE ARUN MONGA**

Present:- Mr. Pardhuman Garg, Advocate for the petitioners.

RITU BAHRI, J.(Oral)

1. In the present case, the petitioner is seeking quashing of the notification dated 12.04.2021 (Annexure P.3) issued by respondent No.4 – SDM-cum-Convenor, Maur Mandi, District Bathinda whereby the election for the post of Senior Vice-President was not mentioned. Vide Annexure P.3, notice has been issued by SDM-cum-Convenor, Maur Mandi, District Bathinda with respect to a meeting to be held on 15.04.2021 at 3 P.M in the office of Municipal Council, Maur for election of President and Vice President and for oath taking ceremony of members. Vide Annexure P.4, the convener asked the members to propose the name of one person for the election of Senior President from them, and on this, Smt. Sukhdeep Kaur

member ward No.5 and all the present members and Sneha Lata member ward No.9 proposed the name of Sh. Chiman Lal Punia member ward No.12 and this name was seconded by Kulwinder Singh ward No.2 and no other member's name was proposed by any of the members. Therefore, Sh. Chiman Lal Punia was elected unanimously as Senior Vice President.

2. Learned counsel for the petitioner is not able to cite any judgment to show that Section 20(2) of the Punjab Municipal Act (for short, 'the Act') has been interpreted in the manner when there are two Vice-Presidents in the Municipality then the Municipality can elect one as a Senior Vice President. Section 20(2) of the Act is very clear, which reads as under:-

20. Election of President and Vice-President.

(1) Every Municipality shall, from time to time, elect one of its members to be its president, and the member so elected shall, on being notified by the State Government, shall become President of the Municipality.

(2) Every Municipality may also, from time to time, elect one or two of its members to be Vice-President or Vice-Presidents and when two Vice-Presidents are elected on the same date, the Municipality shall declare which of them shall be deemed to be the senior.

(3) Notwithstanding anything contained in this section an ex-officio member shall not be eligible for election as President or Vice-President of the Municipality.”

3. Since the selection was made as per Section 20(2) of the Act and Mr. Chiman Lal Punia was elected as Senior Vice President as no other name was proposed for the post of Senior Vice President. No case is made out to interfere. Dismissed.

(RITU BAHRI)
JUDGE

August 31, 2021
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(ARUN MONGA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No