

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

CWP-11363-2021(O&M)

Date of decision: 30.06.2021

Seema Singla

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Nafees Ahmad Khan, Advocate, for the petitioner

**Mr. B.R.Mahajan, Advocate General, Haryana with
Mr. Shivender Swaroop, AAG, Haryana**

ANIL KSHETARPAL, J. (ORAL)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition filed under Article 226 of the Constitution of India, the petitioner who was elected as the Municipal Commissioner in the elections held on 22.05.2016, has assailed the order passed by the Haryana Government under Section 254 (2)(b) of the Haryana Municipal Act, 1973. It is further stated that the petitioner was also elected as the President of the Municipal Committee.

Notice of motion.

At the request of the Court, Mr. B.R.Mahajan, Advocate General, Haryana, with Mr. Shivender Swaroop, AAG, Haryana, accepts notice on behalf of the respondents-State of Haryana.

The petitioner has herself pleaded that the first meeting of the Municipal Committee was held on 22.06.2016. As per the Constitutional provision, the maximum term for which a Municipal Commissioner is elected is 5 years which has come to an end on 21.06.2021. Through the impugned order, the State Government has appointed the concerned Sub Divisional Officers (Civil) as Administrators of the various Municipal Committees/Councils from the date of expiration of the term of its elected representatives.

Keeping in view the aforesaid facts, the petitioner has no right to continue in violation of the constitutional provision. Hence, the writ petition is dismissed.

All the pending miscellaneous applications, if any, also stand disposed of.

30.06.2021
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No