

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

Sr. No.110

CWP-12770-2021

Date of Decision: 28.07.2021

MANINDER SINGH SAHI

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Baldev Singh, Advocate, and
Ms. Arshdeep Kaur, Advocate, for the petitioner.

(Through video conference)

RITU BAHRI, J.

The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to conduct the election for the post of Sarpanch of the Village Phambra, in consonance with the provision of Section 22 of the Punjab Panchayati Raj Act, 1994.

Notice of motion.

Mr. S.P.S.Tinna, Additional Advocate General, Punjab, accepts notice on behalf of respondent-State Authorities.

Learned State Counsel has filed affidavit dated 26.07.2021 on behalf of respondent Nos.1 to 4 through e-mail, hard copy whereof is taken on record.

Learned State Counsel has filed another affidavit dated 27.07.2021 on behalf of respondent No.2 - Director

Department of Rural Development and Panchayat, SAS Nagar, Mohali, through e-mail, hard copy whereof is taken on record.

As per the aforesaid affidavit dated 27.07.2021, bye-elections of the vacant seats of the gram panchayat was ordered to be kept pending vide orders dated 26.03.2020 and 12.05.2021 till improvement in Covid-19 situation and now the file has again been sent to the Government on 14.07.2021 for its approval and the response is still awaited.

Learned State Counsel submits that as and when the notification with regard to holding the election under Section 209 of Punjab Panchayati Raj Act, 1994, will be issued and same will be sent to the State Election Commission as well as the village of the petitioner.

Keeping in view the stand taken by respondent No.2 in affidavit dated 27.07.2021, the present petition, at this stage, is being disposed of by giving direction to respondent No.2-Director Department of Rural Development and Panchayat, SAS Nagar, Mohali, to take a final call on this issue within the next two months.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

28.07.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No