

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

CWP No. 19382 of 2019(O&M)

Date of Decision: 26.03.2021

Akshit Jain and others

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present: - Mr. H. S. Brar, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. Damanbir Sobti, Advocate,
for respondent No.6.

ARUN MONGA, J. (ORAL)

Under challenge herein, *inter alia*, is Resolution dated 05.07.2019 under Section 47 (3) of the Punjab Municipal Corporation Act, 1976, passed by the Municipal Corporation, Moga, seeking recall of respondent No.3 with a further prayer to respondents No.1 and 2 to appoint officiating Commissioner in place of respondent No.3 and immediately start the development works as contained in Annexure P-1.

2. Petitioners are 34 elected Municipal Councilors and petitioner No.1 is the Mayor of Municipal Corporation, Moga. Tenders of 24 development works were opened and approved by the House. However, since 08.01.2016 onwards, awarded tenders have not been signed and put up before the Finance and Contract Committee by respondent No.3. Grievance also is that

respondent No.3 is neither attending the meetings nor sending her representative due to which Municipal Corporation, Moga is suffering heavy revenue loss. Hence, the petition.

3. Though return is still awaited, however when the case is taken up today, learned counsel for respondent No.6 (Municipal Commissioner) at the outset submits that during the pendency of present writ proceedings, fresh elections have already taken place and new councilors have been elected. Entire house of the Municipal Corporation has been reconstituted, in accordance with law.

4. In view thereof, I am of the view that proceedings before this Court are rendered infructuous and are disposed of accordingly.

(ARUN MONGA)
JUDGE

26.03.2021
Shalini

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