

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

Sr. No.121

CWP-21939-2021

Date of Decision: 29.10.2021

AMARJEET SINGH SONI AND OTHERS

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Madhur Jangra, Advocate,
for the petitioners.

RITU BAHRI, J.

This petition has been filed by the petitioners for issuance of a writ in the nature of mandamus directing the respondent authority to decide the representation dated 14.05.2021 and 05.09.2021 (Annexures P-1 and P-2, respectively) and correct the voter list of village Painthawas Kalan, Tehsil and District Charkhi Dadri.

Notice of motion.

Mr. Ankur Mittal, Additional Advocate General, Haryana, assisted by Mr. Saurabh Mago, Assistant Advocate General, Haryana, accepts notice on behalf of respondents.

Learned State Counsel has submitted that Block Development & Panchayat Officer, Charkhi Dadri, had sent a letter

dated 24.05.2021 (Annexure P-4) to the District Development & Panchayat Officer, Charkhi Dadri, with a copy to the petitioners, where it has been clarified that Panchayat elections are to be conducted on the basis of population figures of the year 2011 census and the present petitioners are excluding in the census data of the year 2011, however, they are seeking counting of the current votes and this could not be done.

Learned State Counsel has informed that pursuant to letter dated 24.05.2021 (Annexure P-4), another letter dated 06.09.2021 has again been sent to Amarjeet Singh Soni, Bhoop Singh, who are petitioners No.1 and 2 in the present petition, and Prahlad, residents of village Paintawas Kalan, District Charkhi Dadri. Even, in this letter, which is in Hindi, it has been again clarified that the Panchayat elections are to be conducted on the basis of 2011 census data. Learned State Counsel has further informed that objections were invited and these objections were decided on 05.05.2021 and thereafter, the appeals were also decided by the competent authority on 31.05.2021. Thereafter, final notification was issued on 21.06.2021 and the process of reservation was completed on 25.06.2021.

A perusal of the writ petition shows that it is a case where the petitioners have never filed any objection before the competent authority against the notification dated 26.04.2021, which was for initiating the whole process under Rule 4 of the Haryana Panchayati Raj Election Rules, 1978. Even, in the representations dated 14.05.2021 and 05.09.2021 (Annexures P-1 & P-2, respectively), it

is nowhere stated that they have filed any objection and in fact the only prayer made in the said representations is with respect to the population, which was presently in the village, and this aspect has been considered and it has been specifically clarified that it is done on the basis of 2011 census data. Moreover, in the letter dated 24.05.2021 (Annexure P-4) sent by the Block Development & Panchayat Officer, the said fact has been clarified that 2011 census is made basis for conducting the Panchayat elections.

Keeping in view the aforesaid facts, learned counsel for the petitioners seeks permission of this Court to withdraw the instant petition.

Accordingly, the instant writ petition is dismissed as withdrawn.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

29.10.2021
Himanshu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No