

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

Sr.No.236

**Civil Writ Petition No.1283 of 2022 (O&M)
Date of Decision: 28th April, 2022.**

Monika Sharma

...Petitioner

Versus

State of Punjab & Others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Pawandeep Jattana , Advocate,
for the petitioner.

Mr. S.P.S. Tina, Addl. AG, Punjab,
for respondents No.1 to 6 along-with
Mr.Simran Dhindsa, Executive Officer.

Mr. Amarpreet Advocate for
Mr. Nakul Sharma, Advocate,
for Caveator-respondents No.9, 10, 15 & 16.

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RITU BAHRI, J. (ORAL)

Learned counsel for the State as well as learned counsel for the petitioner have informed the Court that the salary of the employees has been released after the proposal has been sent by the petitioner to the Deputy Commissioner. With respect to the representation dated 25.12.2021 (Annexure P-4), the grievance of the petitioner is to take action against the Councillors for calling the meeting for passing a resolution of no-confidence against the President of Municipal Council Talwara. Representation was made to the Deputy Commissioner who has forwarded the same to the Director.

Learned counsel for the State has informed that the representation is pending for final decision before the Principal Secretary

Department of Local Government Punjab, Punjab Civil Secretariat,
Chandigarh.

Learned counsel for caveator-respondents No.9, 10, 15 & 16 has referred to the Second proviso of Section 22 of the Punjab Municipal Act, 1911 which provides that *“before notifying the removal of the President, the reason for his proposed removal shall be communicated to him by means of a registered letter in which he shall be called upon to tender within twenty-one days an explanation in writing and if no such explanation is received in the office of the appropriate Secretary to Government within twenty one days of the despatch of the said registered letter, the State Government may proceed to notify his removal”*.

Since this procedure has not been initiated so far in this petition, the same is disposed of with the direction to respondent No.1 to pass a speaking order on the representation dated 25.12.2021 (Annexure P-4) within a period of one week after receipt of certified copy of this order in accordance with Section 22 of the Punjab Municipal Act, 1911.

(RITU BAHRI)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

28.04.2022.
seema

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No