

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CWP-19573-2022****Date of decision:16.12.2022****Jasvir Kaur****....Petitioner****Vs.****State of Punjab and others****....Respondents**

CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Kusum Raj, Advocate for
 Mr. A.D.S.Jattana, Advocate
 for the petitioner.

Mr. Ferry Sofat, Addl.A.G., Punjab.

Ritu Bahri, J. (Oral).

The petitioner is seeking setting aside illegal notice/agenda notice dated 26.08.2022 (Annexure P-13) issued under the Municipal Act (Elections), 1994 for holding of the elections to the post of President/Vice President and for oath taking ceremony so fixed for the elected Municipal Councillors of the Municipal Council, Alawalpur-respondent No. 5.

Reply by way of affidavit of the Sub Divisional Magistrate, Jalandhar-1, Government Punjab on behalf of the respondents dated 29.11.2022 has been filed. It is stated therein that after issuing notice to all the members on 26.08.2022, the meeting was convened on 02.09.2022 in which all the 11 councillors and ex-officio member i.e. MLA were present. All the councillors were administered oath on 02.09.2022 and, thereafter, out of 11 councillors, 5 councillors including the petitioner had walked out and abstained themselves from voting for President and Vice President. Elections to the post of President and Vice President were conducted on that

date as per the Punjab Municipal (President and Vice President) Election Rules, 1994 and Smt. Neelam Rani was elected as President and Sh. Mukadar Lal was elected as Vice President of M.C. Alwalpur on the proposal of remaining 6 councillors and one Ex-officio member i.e. MLA. The whole proceedings were duly videographed.

Keeping in view of the above fact, learned counsel for the petitioner seeks to withdraw this petition.

Dismissed as withdrawn.

(RITU BAHRI)
JUDGE

16.12.2022

Divyanshi

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No