

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

107

**Civil Writ Petition 23193 of 2022
Date of Decision: October 06, 2022**

Pawan Sharma

...Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT
HON'BLE MR. JUSTICE ALOK JAIN**

Present : Mr. Yogesh Goyal, Advocate for
Mr. Pawan Kumar Garg, Advocate
for the petitioner.

N.S.SHEKHAWAT, J. (Oral)

The petitioner has filed the instant petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the notification dated 21.09.2022 (Annexure P-1) and a writ of *mandamus* directing the respondents to consider the seat of Sarpanch in the village Narsinghwas for elections to be conducted in 2022 to be a general category seat and conduct the elections.

Learned counsel for the petitioner submits that the respondents have overlooked the specific provisions contained in Section 9 of the Haryana Panchayati Raj Act, 1994 (hereinafter to be referred as '**the Act**') as well as the provisions contained in Article 243-D of the Constitution of India.

Notice of motion.

At this stage, Mr. P.P. Chahar, DAG, Haryana accepts notice on behalf of the respondents and on instructions from Sh. Ranveer Singh Sodhi, Deputy Director (Legal) Development and

Panchayat Department submits that petitioner may be directed to appear before respondent No. 2-Director General & Secretary Rural Development and Panchayat Department and undertakes that the representation (Annexure P-2) submitted by the petitioner shall be considered immediately by the respondent No. 2 by passing a speaking order in the light of relevant provisions of the Act and Article 243 D of the Constitution of India.

In view of the statement made by learned State counsel, we direct the respondent No. 2 to decide the representation of the petitioner (Annexure P-2) by tomorrow itself.

The petitioner shall appear before the concerned authority at 10.30 a.m., on 07.10.2022.

The respondent No. 2 shall also supply a certified copy of the order so passed by him to the petitioner on the same day.

Disposed off accordingly.

(N.S.SHEKHAWAT)
JUDGE

October 06, 2022
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(ALOK JAIN)
JUDGE

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