

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

CWP No.23955 of 2022 (O&M)  
Date of decision: 31.10.2022

Bhudev and another

...Petitioners

Vs.

The State of Haryana and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI  
HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: Mr. Aditya Jain, Advocate,  
and Mr. Rahul Vohra, Advocate,  
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana,  
with Mr. Saurabh Mago, AAG, Haryana.

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Ritu Bahri, J. (oral)

Petitioners are seeking setting aside of the order dated 21.09.2022 (Annexure P-1), whereby seat/office of Sarpanch in village Ahmedpur, Block Ballabhgarh, District Faridabad, has been reserved for the candidate(s) belonging to the SC category.

A perusal of the order dated 21.09.2022 (Annexure P-1) shows that population of Scheduled Caste (SC) in village Ahamdpur is 24.26% and seat/office of Sarpanch in this village was reserved for SC candidate only for one time. As per this order, total 09 Gram Panchayats in Block Ballabhgarh have been reserved for SC Sarpanch. As per Section 9 (5) read with Rule 6 (6) of the Haryana Panchayati Raj Act, 1994, preference have to be given to those villages, which have never been reserved for SC category

and thereafter, the villages, which have been reserved for lease time, have to be reserved for SC category in ascending order.

While passing the impugned order, benefit of reservation has been extended keeping in view the percentage of Scheduled Caste population in the villages and the population has been rightly calculated as per 2011 census. Moreover, it is not the case of petitioners that village Ahamdpur had been reserved twice and it could not be reserved keeping in view Section 9 (5) read with Rule 6 (6) of the Haryana Panchayati Raj Act, 1994. In view of the said fact, no ground is made out to interfere in the impugned notification/order.

No merits. Dismissed.

(RITU BAHRI)  
JUDGE

(NIDHI GUPTA)  
JUDGE

31.10.2022  
ajp

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