

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-23528-2022

Date of decision : 14.10.2022

Hasan Mohmmmed

... Petitioner

Versus

STATE OF HARYANA AND ORS.

...Respondents

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

Present: Mr. Jamshed Ahmed, Advocate
for the petitioner.

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

RITU BAHRI, J. (ORAL)

The grievance of the petitioner is that village Kohri Kalan has been reserved for Backward Class category and as per the information given at Page 52 of the paper book, the said village i.e. Kohri Kalan has been reflected to be reserved three times. On a specific query put, the counsel for the petitioner has stated that twice it was reserved for SC category and now it has been reserved for the third time for Backward Class category. For reservation under Backward Class category, as per Sub Clause (7) of Section 9 of Haryana Panchayati Raj Act, 1994 as amended vide notification dated 02.09.2022, 8% population of gram panchayat in a village has to be first taken out and in the present case 8% comes to 4 and 4 gram panchayats have to be reserved for BCA category. For the purpose of drawing of lots, the number of SC seats has to be deleted and from the remaining seats, 3 times the number of 4, which comes to 12 villages having the maximum population of Backward Class category have to be segregated

and then draw of lots shall be held, in terms of Rules 5 and 6 of Haryana Panchayati Raj, 1995 and after drawing the lots, 4 villages have been selected and village Khori Kalan is one of the villages whose name has come after draw of lots. Even, if it is reserved for BCA category, still it will not make a difference because it was reserved for SC category and reservation has been done as per the Rules of Haryana Panchayati Raj Act.

In view of aforesaid, this Court does not find any merit in this petition.

Dismissed.

(RITU BAHRI)
JUDGE

(NIDHI GUPTA)
JUDGE

October 14, 2022
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Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No