

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

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CWP-24301-2022

Date of decision: 20.10.2022

Sohan Pal and another

..Petitioners

Versus

State of Haryana and others

..Respondents

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

Present: Petitioner No.1-Sohan Lal is present.

RITU BAHRI, J (Oral)

Petitioners are seeking setting aside of the letter dated 21.09.2022 (Annexure P-1) whereby Gram Panchayat Kalwaka has been again wrongly reserved for the post of SC Sarpanch.

A perusal of the order dated 21.09.2022 (Annexure P-1) shows that population of Scheduled Caste (SC) in village Kalwaka is 37.60% and seat/office of Sarpanch in this village was reserved for SC candidate only for one time. As per this order, total 9 Gram Panchayats in Block Prithla have been reserved for SC Sarpanch. 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. A perusal of the impugned letter further reveals that villages at Sr. Nos.1 to 6 were never reserved for SC Sarpanch and the present village at Sr. No.7 with SC population of 37.60%, was reserved one time for SC Sarpanch. There is no village having higher SC population than village Kalwaka which has been left out in rotation. The judgment referred by the petitioners i.e. **Ram**

Parsad and others vs. State of Haryana and others, CWP No.14198 of 2015 and connected case, is not applicable in this case, as rotation is to be done by taking into account the population of SC category in ascending order.

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**

20.10.2022

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No