

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29635-2022
Decided on 22.12.2022.

Yahooda Mohd. and others

...Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Mohammad Arshad, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. A.G. Haryana.

AUGUSTINE GEORGE MASIH J.(ORAL)

The petitioners have approached this Court with a grievance that they were not given clear 07 days notice as mandated under Rules 76 and 77 of the Haryana Panchayati Raj Election Rules 1994. The case had come up for hearing on 21.12.2022 when the counsel for the State was called upon to seek instructions with reference to the plea as has been raised by the petitioners.

Learned Additional A.G., Haryana, submits that indeed there has been some error on the part of the department in not giving clear 07 days notice, in-fact it is short by one day as the notice was served on 16.12.2022 as per the admitted position on the part of the petitioners and the scheduled meeting was to be held on 23.12.2022. He has proposed the meeting to be now held on 24.12.2022 which would fulfill the mandate of 07 days from the date of due service of notice.

Counsel for the petitioners on the other hand, asserts that fresh notice has to be given now for clear 07 days for holding the meeting for election for the

post of President and Vice-President which was the agenda fixed for the meeting.

This prayer of the counsel for the petitioners appears to be intended for delaying the proceedings of election. As proposed by the counsel for the State, the meeting can be held on 24.12.2022, but we fix the meeting of the Zila Parishad, Nuh on 26.12.2022 with the agenda and the time schedule etc. remaining the same.

Mr. Anil Mehta, Advocate, has put in appearance on behalf of the 17 members of the Zila Parishad and states that he has no objection to the order which has been passed by this Court for holding the election on 26.12.2022.

The writ petition stands disposed of accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

22.12.2022

R.sharma

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