

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

**CWP-1359-2023 (O&M)
Date of Decision: 23.01.2023**

ZAKARIYA KHAN

..... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

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

Mr. Aman Bahri, Addl. AG, Haryana.

LISA GILL, J.

Grievance raised by the petitioner is that respondent no.6, who has been elected as Member of Zila Parishad, Ward No.17, Block Ferozepur Jhirka, District Nuh, does not possess the minimum qualification required for contesting elections. The certificate-cum-marksheet (Annexure P-3) attached by the said respondent, it is submitted, is not genuine. As respondent no.6 is disqualified for holding the post of Member of Zila Parishad, petitioner, it is stated, submitted representation in this regard, which is attached as Annexure P-8 with this writ petition, but no action is being taken by the authorities in terms of Section 177 of the Haryana Panchayati Raj Act, 1994 (for short 'the Act')

Mr. Aman Bahri, Addl. AG, Haryana, to whom an advance copy of the paper book has been supplied, on instructions from District Development and Panchayat Officer, Nuh, informs that an inquiry has been

marked in this matter. It is stated that necessary action in terms of the provisions of Section 177 of the Act shall be taken expeditiously and definitely within six weeks from today.

In view of the statement made by learned counsel for the State, on instructions from District Development and Panchayat Officer, Nuh, there is no requirement of any further order being passed in this writ petition, at this stage.

Writ petition is accordingly disposed of with a direction to the competent authority to take necessary action in terms of Section 177 of the Act, after affording due opportunity of hearing to all concerned, in accordance with law, within the period as stated before us.

It is clarified that there is no expression of opinion on the merits of the controversy.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

23.01.2023

Sunil

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