

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-1467-CWP of 2023,
RA-CW-21 of 2023 in
CWP No. 30174 of 2022
Date of Decision:15.02.2023

Vikas @ Vikas Sinhmar

.....Applicant-Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr.R.S.Mamli, Advocate
for the applicant-petitioner.

Mr. Aman Bahri, Addl.AG., Haryana.

LISA GILL, J(Oral).

CM-1467-CWP of 2023.

Filing of certified/typed copy of order dated 05.01.2023, is
exempted.

Application is, accordingly, disposed of.

RA-CW-21 of 2023.

Prayer in this application is for review of order dated
05.01.2023, vide which this writ petition was disposed as infructuous in the
absence of learned counsel for the petitioner keeping in view the statement
of learned counsel for respondent-State to the effect that Ward No. 6
continues to be reserved for the Scheduled Caste Category. Liberty was
afforded to the applicant-petitioner to file appropriate application, in case,
any incorrect fact was pleaded before us.

Present application for review has been filed with the averment
that complete facts were not brought before us at the time of disposal of this
writ petition as the area which originally formed part of Ward No. 6 stood

transferred and fell within boundaries of Ward No. 5. This exercise it is submitted has been carried out *dehors* the applicable provisions. Therefore, cause of action still subsists.

Grievance raised in the writ petition was that earlier Ward No. 6 was reserved for the scheduled caste category and thereafter in an illegal and unjustified manner, it is Ward No. 5, which is being reserved for scheduled caste and not Ward No.6.

Affidavit dated 07.02.2023 of Mr. Y.S.Gupta, Additional Director, Urban Local Bodies, Haryana, Panchkula, has been filed on behalf of non-applicant-respondents no.1 and 2. It is clarified therein that certain errors had crept in notification dated 06.09.2022, in respect to the area of Wards. Therefore, necessary Corrigendum in terms of Rule 11 of the Haryana Municipal Delimitation of Ward Rules, 1997, was duly issued on 21.10.2022.

Faced with the above, learned counsel for the applicant-petitioner submits that liberty be afforded to the applicant-petitioner to challenge the Corrigendum dated 21.10.2022 in accordance with law.

Review application is accordingly dismissed with liberty to the applicant-petitioner to challenge the same in accordance with law. Needless to say, disposal of the writ petition as infructuous on 05.01.2023 would not have a bearing on proceedings, if any, in respect to Corrigendum dated 21.10.2022.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

February 15, 2023.
s.khan

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