

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.322 of 2022 (O&M)
Date of Decision: 15.04.2024

Ramjit

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. K. S. Dadwal, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

Ms. Divyajyot Mann, Advocate
for respondents No.2 and 3.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for quashing the notification dated 21.12.2021 (Annexure P-4) whereby while exercising the powers under Section 16(1)(F) of Punjab Municipal Act, 1911, petitioner has been removed from the membership of Municipal Council as Municipal Councilor without taking into consideration the settled position of the law and further without holding any inquiry with regard to the allegations for which the order has been passed. Further prayer has been made for directing the respondents to allow the petitioner to maintain his position as Municipal Councilor, which is being tray to be snatched away by illegal means and allow him to participate in all meetings as well as to perform all duties of Municipal Councilor.

Learned counsel for the petitioner has submitted before this Court that the petitioner be granted liberty to file appropriate representation for the redressal of his grievances before respondent No.1 i.e. the Principal Secretary to Government of Punjab, Department of Local Bodies, Chandigarh and he be directed to decide the same expeditiously.

Learned counsel for the State has submitted that if the petitioner files any such representation elaborating his grievance, the same would be decided expeditiously.

After hearing learned counsel for both the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file his appropriate representation before respondent No.1 as prayed for within a period of 10 days from today. If any such representation is filed by the petitioner within the stipulated period, then respondent No.1 i.e. the Principal Secretary to Government of Punjab, Department of Local Bodies, Chandigarh is directed to decide the same in accordance with law within a period of two months from the date of its filing. Pending applications, if any, also stand disposed of.

(RAJESH BHARDWAJ)

JUDGE

15.04.2024

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Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No