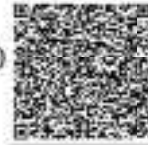


2024:PIIIC:100650



227

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

CWP-1096-1997

Date of Decision: 21.08.2024

Balbir Singh

..... Petitioner

Versus

Johri and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: None for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

HARSII BUNGER J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking a writ in the nature of Certiorari to set aside order dated 06.01.1997 (Annexure P-1) passed by the learned Additional Civil Judge (Senior Division), Gohana.

2. A perusal of order sheets would reveal that on the last date of hearing (24.04.2024), the following order was passed by a co ordinate Bench of this Court:-

As per office report, notice issued to respondents No.1 and 3 has been received back with the report that they are died. Notice issued to respondent No.2 has been received back served. Notice issued to respondent No.4 has been received back unserved with the report of 'not residing at the given

address'.

Let correct and latest address of respondent No.4 be furnished and on doing so, fresh notice to respondent No.4 be issued for 21.08.2024.

Meanwhile, necessary steps be taken for impleading legal representatives of respondents No.1 and 3.

Interim order to continue till then.”

3. As per office report, notice to respondent No.4 could not be issued for want of process fee of the correct address; and no application for impleading the legal representatives of deceased-respondents No.1 and 3 has been filed on behalf of the petitioner.

4. At this stage, learned counsel for the State submits that even otherwise, the instant writ petition has become infructuous as the prayer made herein is for setting aside order dated 06.01.1997 (Annexure P-1) passed under Section 176 of the Haryana Panchayati Raj Act, 1994, whereby the election petition filed by respondent No.1 (Johri) was partly allowed and the election of petitioner (Balbir) to the post of Sarpanch of Gram Panchayat of Village Bhawar Kali Raman, Tehsil Gohana, District Sonapat was set aside. It is next submitted that the aforesaid election was held on 15.12.1994 and with the efflux of time, nothing survives in the present writ petition.

5. Keeping in view the aforesaid submissions made by learned counsel for the State, the present writ petition is dismissed as having been rendered infructuous.

6. All pending application(s), if any, shall also stand closed.

21.08.2024

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No