

CWP-32167-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CWP-32167-2024

Date of Decision: 05.12.2024

GURDEEP SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present:- Mr. Devender S. Punia, Advocate,
for the petitioner.

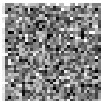
Mr. P.P. Chahar, Sr. DAG, Haryana.

SURESHWAR THAKUR, J. (Oral)

Since elections remain unconduted for the post of the Sarpanch of Village Kattaaheri, Fatehabad, Haryana, thereby through the instant writ, a prayer is made for the passings of a mandamus for the said purpose.

Today learned Senior Deputy Advocate General has filed an affidavit sworn by Amit Kumar Aggarwal, IAS, Commissioner and Secretary to Government of Haryana, Development and Panchayats Department, Chandigarh.

It is not necessary to in extenso detail the reasons made therein qua the non-conducting of the elections, but the primary fact as detailed in the affidavit rather for the respondents, thus, not holding elections, is the pivotal fact, that the posts reserved for Backward Classes (A) Category candidates, could not be so reserved, as no person of that category was residing within the territorial domain of the Gram Sabha concerned.



Be that as it may, it appears that the officer, who has sworn the affidavit may not be fully awakened whether merely in the wake of the supra reasons whether therebys, there was thus no requirement for the application of the roster reservation system yet viz.-a-viz the Backward Class candidate(s).

Be that as it may, the exercise to be undertaken for updating the voter list be completed within a period of four months from today. Moreover in terms of the relevant provisions, thus *prima facie* irrespective of the population of the Backward Class residents in the Panchayat concerned, thus, reservations for the post of Sarpanches/Panches, be yet lawfully created in favour of the Backward Class candidate(s). Therefore, the entire exercise supra be completed within four months including the drawing of an election programme and the announcement of results.

Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

December 05, 2024
monika

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