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2026:PHHC:071348-DB



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

CWP-14214-2026

Date of decision : 07.05.2026

Darshan Lal Khatak and others

...Petitioners

Vs.

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Mandeep S.Gill, Advocate
for the petitioners.

Mr. Rahul Rampal, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J.(Oral)

1. The present petition has been filed challenging the decision dated 04.03.2015 (Annexure P-3) by which the request for including the area where the petitioners reside in the MC limit of the SAS Nagar, has not been accepted so as to include their area in the limits of the Municipal Corporation, SAS Nagar, Mohali. The further prayer is that the petitioners should be treated as a part of the Municipal Corporation, SAS Nagar, Mohali for the purpose of participating in the election, which are scheduled to be held shortly. Further, the prayer is to decide on the Resolution No.428 passed by Municipal Corporation, SAS Nagar, Mohali dated 09.02.2026 so as to facilitate the area to be brought under the Municipal Corporation, SAS Nagar, Mohali.

2. Learned counsel for the petitioners argues that as of now, the situation is such that the area where the petitioners reside is neither under any

Gram Panchayat nor has the same been included within the local limit of the Municipal Corporation, SAS Nagar, Mohali. Hence, the said factum is causing prejudice to the petitioners, hence, they should either be declared a part of any Gram Panchayat or the Municipal Corporation, SAS Nagar, Mohali, as the case may be. Learned counsel further submits that the decision dated 04.03.2015 not to include the area of the petitioners within the Municipal Corporation, SAS Nagar, Mohali is incorrect on the ground that the petitioners' area should have been included while extending the limits of Municipal Corporation, SAS Nagar, Mohali so as to allow them to participate in the upcoming elections, even though, the same was extended recently in the year 2025 as well.

3. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

4. It may be noticed that bringing any area within the limits of the urban local bodies, is a legislative function to be performed by the State. For the same, the discretion exists with the Government to do the needful in case, the Government determines that such area needs to be brought within the urban local body. This Court cannot interfere in a legislative function which is to be performed by State to direct the State so as to include or exclude a particular area from a particular urban local body. No such jurisdiction exists with the Court with regard to performing a legislative function. Hence, seeking a direction that the area where the petitioners reside should be brought under the limits of the Municipal Corporation, SAS Nagar, Mohali cannot be granted by issuance of mandamus to the State.

5. Further, the State had already considered the said issue as far as back in the year 2015 and decision was taken not to include said area in the

local limits, which is now sought to be brought under Municipal Corporation, SAS Nagar Mohali. The petitioners never raised said grievance for a period of ten years.

6. Again, the limits of the Municipal Corporation, SAS Nagar, Mohali were extended in the year 2025 and the Government deemed it fit not to include the said area within the limit of Municipal Corporation SAS Nagar, Mohali. There is no challenge to such resolution or such action taken by State while performing the legislative function. Hence, once a definite decision has already been taken by the Government as far back as in 2015 and then again in 2025 to not include the area where the petitioners are residing to be a part of the Municipal Corporation, SAS Nagar, Mohali, challenging such action after a period of ten years especially when the elections to Municipal Corporation SAS Nagar, Mohali are nearing so as to include the said area, cannot be done.

7. Even, otherwise as per the notification issued by Government of India, the boundaries of the local urban bodies have already been freezed due to undertaking of census process. Once the boundaries of urban local bodies have already been freezed w.e.f.01.01.2026, and any further including of any area can consequent delimitation cannot be done after 01.01.2026. Even the notifications issued by the State qua delimitation of ward of urban local bodies after 01.01.2026 have been withdrawn, accepting the prayer of the petitioners now to direct the State to include the area belonging to the petitioners now within the Municipal Corporation, SAS Nagar, Mohali and to delimit the same now will be contrary to the decision taken by the Government of India so as to freeze the boundaries of the urban local bodies and Municipal Corporation, SAS Nagar, Mohali is urban local body.

- 8. No further argument raised.
- 9. Keeping in view of the above, no ground is made out for any interference qua the prayer sought.
- 10. The petition stands dismissed.
- 11. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

07.05.2026

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Whether speaking/reasoned :	Yes
Whether Reportable :	No