

**CWP-14752-2026****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(222)****CWP-14752-2026****Date of Decision : May 15, 2026****Kulwant Singh and others****.. Petitioners****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Harsh Chopra, Advocate and
Ms. Sukriti Verma, Advocate, for the petitioners.

Mr. Jastej Singh, Addl. A.G., Punjab.

Mr. D.S. Randhawa, Advocate, for respondent No.3.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the challenge is to the holding of the elections to the Municipal Council, Kharar on the ground that after the last elections, certain area has been included into the limits of the Municipal Council, Kharar, which area was delimited by the respondent-State by issuing a notification after 01.01.2026 but the said notification has been withdrawn keeping in view the freezing of the boundaries of the Municipal Council keeping in view the notification of the Government of India for the purpose of census.

2. Learned counsel for the petitioners submits that till all the area which is within the limits of Municipal Council, Kharar is delimited, elections cannot be held otherwise, the residents of the area which is now within the jurisdiction of the Municipal Council, Kharar but is yet to be delimited, would not be able to vote or participate in the elections, ultimately causing prejudice to them.



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3. Learned counsel for the petitioners further submits that the similar issue came up for consideration before the Hon'ble Supreme Court of India in ***Dravide Munnetra Kazhagam (DMK) vs. Secretary Governors, Secretariat and others 2020 (6) SCC 548*** where, the Hon'ble Supreme Court of India has held that under such circumstances, the election cannot be held till all the area falling within the Municipal Council which is yet to be delimited, is delimited.

4. Notice of motion was issued.

5. Learned State counsel, on the instructions from Mr. Sanjeev Kumar, Deputy Director, Local Government, Punjab, submits that Elections though notified for the Municipal Council, Kharar is scheduled to be held on 26.05.2026 and the same will be deferred till the jurisdiction to delimit the area which is within the municipal limit of Municipal Council, Kharar available with the State Government and such area is actually delimited so that no prejudice is caused.

6. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, no further order is required to be passed in the present petition and the present petition may kindly be disposed of having been rendered infructuous.

7. Ordered accordingly.

8. It may be noticed that once the term of the Municipal Council, Kharar has come to an end, which is a conceded fact, the State Government will be within its jurisdiction to appoint an Administrator to run the Municipal Council, Kharar till the elections are held in accordance with law keeping in view the statement recorded hereinbefore.

(HARSIMRAN SINGH SETHI)
JUDGE

May 15, 2026
harsha

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No