
(2013) 04 P&H CK 0167
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 8864 of 2013

Karnail Singh and Another

APPELLANT

Vs

Director, Rural Development and Panchayat Department and
Others

RESPONDENT

Date of Decision : 26-04-2013

Acts Referred:

Punjab Panchayati Raj Act, 1994 — Section 10A

Citation : (2013) 3 RCR(Civil) 459

Hon'ble Judges : Jasbir Singh, Acting C.J.; Rakesh Kumar Jain, J

Bench : Division Bench

Advocate : Manish Prabhaker, for the Appellant;

Final Decision : Dismissed

Judgement

Jasbir Singh, Actg.C.J.—This writ petition has been filed for issuance of writ of certiorari quashing voters list Annexure P1 and also creation of wards for Gram Panchayat election in the village for polling booth No. 98 and 99 in village Mohan Bhandarian, district Amritsar. It is stated that against publication of the final voters list Annexure P1 dated 11.3.2012, the petitioners had filed objections. They were sent notice for hearing, however, nothing was done thereafter. We are doubtful as to whether any objection can be filed against publication of final list. It appears that some application was moved and somebody sitting in the office may have sent notice to the petitioners. Provision of Section 10-A of the Punjab Panchayati Raj Act, 1994 reads thus:--

10-A Formulation of wards (1) The Deputy Commissioner by notification published in the Official Gazette, shall propose the formulation of wards of the Gram Sabha area to be multi-members constituencies as provided under sub-section (1-C) of section 10 and shall earmark each ward by assigning a separate serial number.

(2) The list of proposed wards shall be affixed on the Notice Board of the offices

of the Block Development and Panchayats Officer, the District Development and Panchayat Officer and the Gram Panchayat concerned. In case of any objections or suggestions, a person registered as voter of the Gram Sabha area may submit the same, in writing, to the office of the Deputy Commissioner concerned within a period of seven days of displaying the list of the proposed wards. On receipt of the objections or suggestions, if any, the Deputy Commissioner shall hold summary enquiry and shall record his decision thereon within a period of thirty days from the date of receipt of objections and suggestions and the decision of the Deputy Commissioner thereupon shall be final.

(3) The Deputy Commissioner shall, within a period of ninety days from the date of his decision under sub-section (2), get published the final list of wards in the Official Gazette.

2. Above provision provides that after issuance of preliminary notification for creation of wards in the village, objections can be filed. The competent authority is supposed to deal with those objections and pass final order. Against publication of the final list of wards, no further filing of objection is provided. Notification through which list was published has not been brought on record.

In view of above, no relief can be granted to the petitioner.

Accordingly, the writ petition stands dismissed.