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Notice of Motion to Respondent Nos.1 to 5 Only at Vs. Hira Singh and AnotherPetitioners

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Court : Punjab and Haryana

Decided On : Mar-13-2013

Appellant : Notice of Motion to Respondent Nos.1 to 5 Only at

Respondent : Hira Singh and AnotherPetitioners

Judgement :

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH Civil Writ Petition No.5228 of 2013 Date of Decision : March 13, 2013 Hira Singh and anotherPetitioners versus State of Punjab and othersRespondents
CORAM : HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE R.P.NAGRATH.

Present : Mr.S.S.Swaich, Advocate, for the petitioneRs.Mr.N.K.Verma, Senior DAG, Punjab.

-. 1.

Whether Reporters of Local papers may be allowed to see the judgment?.

2. To be referred to the Reporters or not?.

3. Whether the judgment should be reported in the Digest?.

--- Surya Kant, J.

(Oral) Notice of motion to respondent Nos.1 to 5 only at this stage.

Let five copies of the writ petition be handed-over to the learned State counsel during the couRs.of day failing which the order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non- prosecution.

In view of the nature of order which we propose to pass, there is no need to issue notice to respondent No.6 as no order prejudicial to his interest is being passed, not any counter-reply from respondent Nos.1 to 5 is needed at this stage.

The petitioners are residents of village Pakhopur, Block Chohla Sahib, District Tarn-Taran.

Their grievance is against the notification dated 21.01.2013 (Annexure P-4) of the CWP No.5228 of 2013 [2].proposed 'Wardbandi' issued by the office of the Deputy Commissioner, Tarn-Taran in purported exercise of powers under Section 10-A read with Section 10 of the Punjab Panchayati Raj Act, 1994 whereby wardbandi of ensuing gram panchayat elections is proposed to be carried out for village Pakhopur, Block Chohla Sahib, District Tarn-Taran.

We find that somewhat similar controveRs.was raised before us in Civil Writ Petition No.2758 of 2013 (Balwinder Singh and others versus State of Punjab and otheRs.which was disposed of with certain directions on 08.02.2013.

The present writ petition is also disposed of in the same terms and consequently, the Block Development and Panchayat Officer, Block Chohla Sahib, District Tarn-Taran is directed to provide requisite information to the petitioners within three days from the date of submission of the application for which we grant three working days to the petitioners to apply.

The Deputy Commissioner, Tarn-Taran shall consider the objections, if any, submitted by the petitioners within a period of one week thereafter, objectively, in accordance with law and uninfluenced of any other consideration.

The final notification shall be issued thereafter only.

Ordered accordingly.

Dasti.

(SURYA KANT) JUDGE \$ March 13, 2013 (R.P.NAGRATH) Mohinder JUDGE

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