

CWP-PIL-275-2024 (O&M)

Bhisham Kinger

Vs

State of Punjab and others

Present:- Mr. Bhisham Kinger, Advocate (petitioner-in-person).
 Mr. Jasdeep Singh Gill, Additional Advocate General, Punjab.
 Mr. Ayush Sarna, Advocate,
 for respondent No. 2.

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Short reply filed by way of affidavit of Shri Harpreet Singh Atwal, Deputy Secretary to Government of Punjab, Department of Local Government as well as reply filed by way of affidavit of Shri Jagjit Singh, Secretary, State Election Commission, Punjab in Court today are taken on record.

Learned counsel appearing for respondent No. 2 – State Election Commission, Punjab has pointed out certain reasons, primarily of non-updation of the electoral rolls, for not going ahead with Municipal Council/Committee elections in the Municipality areas of Talwara, District Hoshiarpur, Dera Baba Nanak, District Gurdaspur and Tarn Taran, District Tarn Taran.

It is not only surprising, but shocking to note that despite the mandate under Article 243U of the Constitution of India to hold elections well before the last term of an elected body comes to an end, the State Election Commission, Punjab has allowed nominated State functionaries to manage the affairs of the Municipal bodies since the last four to five years. It is an extremely sorry state of affairs especially in a democratic polity.

The aforesaid reason assigned by the State Election Commission, Punjab, cannot be accepted.

The State Election Commissioner, Punjab is directed to file an affidavit giving the exact date by which elections to the said three Municipal bodies shall be held failing which the State Election Commissioner, Punjab would appear virtually before this Court on 17.01.2025 at 10.00 AM. and explain the default.

(SHEEL NAGU)
CHIEF JUSTICE

(SUDHIR SINGH)
JUDGE

14.01.2025

Amodh Sharma