

ITEM NO.1	Court 5 (Video Conferencing)	SECTION IV-B
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S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 6649/2020

(Arising out of impugned final judgment and order dated 09-01-2020 in LPA No. 1641/2016 passed by the High Court Of Punjab & Haryana At Chandigarh)

MOHIT KUMAR	Petitioner(s)
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VERSUS

THE STATE OF HARYANA & ORS.	Respondent (s)
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**(FOR ADMISSION and I.R. and IA No.47923/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)**

Date : 27-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Rajive Bhalla, Sr. Adv.
 Mr. Karan Kapoor, Adv.
 Mr. Gurkamal Khandola, Adv.
 Mr. Shubham Bhalla, AOR

For Respondent(s) Ms. Binu Tamta, AOR

UPON hearing the counsel the Court made the following
O R D E R

On instructions, Mr. Rajive Bhalla, learned Senior Counsel for the petitioner submitted that the petitioner is more concerned about his status rather than the election as Sarpanch to the concerned Gram Panchayat.

Mr. Bhalla further submitted that if determination by the Committee is to be the final word, the entire family and future

generations of the petitioner would be deprived of the status of being "Julaha".

It was further submitted that

(a) In terms of the directions issued by this Court in *Kumari Madurai Patil and another vs. Additional Commissioner, Tribal Development and Others* [1984 (6)SCC 241], a Committee was constituted by the State only on 23.04.2019.

(b) The committee that went into the status of the petitioner and the question whether he belonged to the community of "Julaha", was not properly constituted.

Issue notice, confined to the questions whether the petitioner and his family come from the community of "Julaha" and whether the Committee which went into the question was properly constituted or not.

It is made clear that pendency of this matter shall not have any impact or effect upon the election as Sarpanch to the Gram Panchayat. In other words, irrespective of our determination, the petitioner shall be deemed to have vacated the office of Sarpanch and all consequential actions must thereafter follow.

Let notice be returnable on 28.09.2020.

Dasti in addition.

Liberty to serve the learned Standing Counsel for the State.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER