

Satinder Kumar & others Vs. State of H.P. & others.

CWP No. 3640 of 2026

25.3.2026

Present: Mr.Prikshit Rathore, Advocate, for the petitioners.

Mr.Anup Rattan, Advocate General, with Mr.Ramakant Sharma, Additional Advocate General, Mr.Raj Negi and Ms.Swati Draik, Deputy Advocate Generals, for respondents No. 1 to 5.

Mr.Surender Kumar Sharma, Advocate, for respondent No. 6.

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On oral request of Learned counsel for the petitioner, H.P. State Election Commission is arrayed as party-respondent No. 6.

Mr.Surinder Kumar Sharma, Advocate waives service and accepts notice on behalf of newly added respondent No. 6. Complete paper book be supplied to learned counsel for respondent No. 6 during the course of the day.

Learned counsel for respondent No. 6 has produced instructions dated 23.3.2026 received from H.P. State Election Commission alongwith documents appended therewith, including the list of 53 cases of creation/bifurcation/re-origination of Panchayats in which relaxation with respect to Notification dated 17.11.2025 was sought by the State and granted by the H.P. State Election Commission.

Learned Advocate General has been heard in length. Learned Advocate General seeks time to file detailed

reply with request to list this matter on 30th March, 2026. Therefore, matter is adjourned to enable the respondents-State to file reply on or before next date.

List for consideration on **30th March, 2026.**

CMP No. 5278 of 2026

List for consideration alongwith main petition on next date.

In the meanwhile, keeping in view Notification dated 17.11.2025 and communication dated 5.3.2026 issued by the H.P. State Election Commission with reference to clauses 2 and 12.1 of the Himachal Pradesh Panchayats and Municipalities Modal Code of Conduct, 2020 issued by the H.P. State Election Commission, exercising powers vested in the Commission under Article 243 K and 243 ZA of the Constitution of India read with Section 160 of the Himachal Pradesh Panchayati Raj Act, 1994, Section 281 of the Himachal Pradesh Municipal Act, 1994 and Section 9 of the HP Municipal Corporation Act, 1994, respondents are restrained from acting upon the draft proposals, proposals, draft notifications, final notifications, under challenge in the Court, related to bifurcation, creation or re-organization of Panchayats, which were not pending on or before 13.2.2026, the date of order passed by the Apex Court, unless permitted in relaxation of Notification dated 17.11.2025 by the H.P. State Election Commission and in such cases respondents-State shall not proceed further on the basis of said

proposals/notifications but act considering the same as not issued ever.

In case Election Commission is approached by the respondents-State, as proposed by Learned Advocate General, the H.P State Election Commission shall take appropriate prompt decision on or before 28th March, 2026.

**(Vivek Singh Thakur),
Judge.**

**(Ranjan Sharma),
Judge.**

25th March, 2026.
(Keshav)