

be removed by the recommendations of the Group of Ministers. Such recommendations have to be given effect from the date anomaly arises and not from any other date.

(16) In view of the above, we allow the present writ petition and quash the cut off date 1st January, 2006 and clause (9) of circular dated 1st February, 2006 and direct the respondents to grant revised pensionary benefits to all the petitioners and similarly situated PBOR within a period of six months from today.

---

**R.N.R.**

*Before Mehtab S. Gill and Rakesh Kumar Jain, JJ.*

**SUMAN AND OTHERS,—Appellants**

*versus*

**STATE OF HARYANA AND OTHERS,—Respondents**

L.P.A. No. 125 of 2007 IN

C.W.P. No. 12590 of 2005

29th April, 2008

*Constitution of India, 1950—Art.226—Haryana Municipal Act, 1973—Ss. 18, 26 and 27—Haryana Municipal Election Rules, 1978—Rl.70—Haryana Municipal Business Bye Laws 1981—Bye Laws 4 and 14—Election to M.C.—Oath administered to newly elected members in meeting held under Rl.70—No election of President and Vice President in that meeting—Election in a special meeting defined under section 27 of 1973 Act—U/s 27 quorum is necessary for transaction of any business at any ordinary or special meeting of Committee which shall be one half of number of members actually serving at that time—Resolution declaring elected President and Vice-President passed without required quorum as per law held to be illegal and unsustainable in law—Appeal allowed order of Single Judge set aside while directing respondents to hold fresh election.*

*Held*, that in the meeting held which was called under Rule 70 of the Rules only oath was administered to the newly elected members and the elections were not held. Since the elections have been held in a special meeting which is defined under Section 27 of the Act for which quorum is provided as one half of the number of the members serving at that time. As per Section 27 of the Act, the impugned resolution could not have been passed without the required quorum as per law. Therefore, the impugned order is patently illegal and unsustainable in the eyes of law.

(Para 14)

*Further held*, that if according to the respondents, the election of the President and the Vice President could only be held in the meeting convened under Rule 70 of the Rules and only business could be transacted in a special or ordinary meetings and the election of the President and the Vice President is not the business of the Committee then how the impugned resolution dated 5th August, 2005 could have been passed in a special meeting whereby respondents, No. 4 and 5 have been elected. Therefore, looking from any angle, the impugned resolution is patently illegal and unsustainable.

(Paras 15)

**Constitution of India, 1950—Art. 226—Haryana Municipal Act, 1973—Ss.18 26 and 27—Maintainability—Election to President and Vice-President of M.C.—Alternative remedy of Election Petition—Whether jurisdiction of High Court is barred—Held, no.**

*Held*, that the judgment of the Full Bench in the case of Prithvi Raj *versus* State Election Commission, Punjab and others, 2007(2) ILR (Punjab and Haryana) 206, lays down that an election under the Municipal Act commences with the issuance of a notification, by the State Government, under Section 13-A (2) of the Municipal Act. The election is thereafter held by the State Election Commission. The 'election' concludes with the declaration of the result. Thus, a petition that 'calls into question' an election during the period of the election would not be entertained under Article 226 of the Constitution of India and the redress to any such grievance would have to await the outcome of the

election and then also would be urged by filing an election petition under the provisions of the Election Commission Act. Whereas the present election to the post of President and Vice President is not covered by the aforesaid decision, therefore, the writ petition filed by the petitioners-appellants herein was maintainable although this aspect has not been decided by the learned Single Judge as the main petition was dismissed on merits.

(Para 17)

S.P. Jain, Sr. Advocate with Dheeraj Jain, Advocate, *for the petitioners.*

S.K. Bishnoi, DAG Haryana *for respondents No. 1 to 3.*

P.K. Mutneja, Advocate, *for respondents No. 4 and 5.*

B.S. Sra, Advocate, *for respondent No. 6*

***RAKESH KUMAR JAIN, J.***

(1) Elections to the Municipal Committee, Pinjore were held on 21st March, 2004 in which 15 members were elected and two Ex-officio members, namely, Member of Parliament and Member of Legislative Assembly were nominated. On 12th April, 2004, a meeting was convened under the chairmanship of SDO(C) Kalka regarding administering the oath to the newly elected members of the municipal Committee in which all the 15 elected members had participated and were administered oath. *Vide* his order dated 17th February, 2005, the Deputy Commissioner, Panchkula called a special meeting for 21st February, 2005 at 9 a.m. under the chairmanship of SDO(C) Kalka for the election of President and Vice-President of Municipal Committee, Pinjore. As per the proceedings of the meeting recorded on 21st February, 2005, notice of the special meeting was given to all the 17 members but only 8 members attended the meeting, whose signatures and presence was recorded but since the quorum of the House was required to be 9, the special meeting convened for the election of the President and the Vice President was postponed/adjourned. However, no date and time was announced to which meeting dated 21st February, 2005 was postponed/adjourned. *Vide* notice dated 2nd August, 2005,

SDO(C) Kalka informed the members of the Committee that a special meeting shall be held on 5th August, 2005 in the Conference Hall of Forest Complex, Pinjore for the election of the President and the Vice President. The special meeting as envisaged,—*vide* notice dated 2nd August, 2005 was held on 5th August, 2005 under the chairmanship of SDO(C) Kalka in which again 8 elected members out of 17, came present and participated. In the proceedings of meeting dated 5th August, 2005, it was categorically mentioned that the meeting convened on 21st February, 2005 for the election of the President and the Vice-President was adjourned because of lack of quorum, however, the meeting dated 5th August, 2005 was proceeded with 8 members in which Kuldeep Singh and Smt. Krishna Lakra were elected the President and the Vice President unanimously. Thereafter, the proceedings were declared to be complete. After the aforesaid election notification dated 8th August, 2005 was issued in exercise of the powers conferred under Section 24 Sub Section (1) and (2) of the Haryana Municipal Act, 1973 and Kuldeep Singh was notified as President of the Municipal Committee, Pinjore.

(2) The present appellants had filed C.W.P. No. 12590 of 2005 seeking a writ in the nature of certiorari for quashing resolution dated 5th August, 2005,—*vide* which Kuldeep Singh and Smt. Krishna Lakra were elected as President and Vice President of the Municipal Committee, Pinjore, notification dated 8th August, 2005,—*vide* which Kuldeep Singh was notified as President of the Municipal Committee, Pinjore and further sought a writ in the nature of mandamus directing the official respondents to hold fresh elections for the post of the President and the Vice President. The said writ petition was dismissed by a Single Bench of this Court on 3rd April, 2007 *inter alia* holding that for the election of the President and the Vice President no quorum is required under the rules and since business of the committee is transacted in the ordinary or special meeting, it can not be equated with the election of the President and the Vice President as the election of President and Vice President merely facilitates the discharge of the functions of the Committee. It was also held that the writ jurisdiction of this Court is not barred and in the given circumstances, this Court can entertain the

writ petition directly. However, the question of alternative remedy was not decided as the writ petition was dismissed on merits.

(3) In the present appeal, the appellants have assailed the order dated 3rd April, 2007 passed by learned Single Judge, resolution dated 5th August, 2005 as well as notification dated 8th August, 2005,—*vide* which election of respondents No. 5 was notified.

(4) Shri S.P. Jain, Sr. Advocate appearing for the appellants, before embarking upon the merits of the case, referred to Sections 18, 26, 27 of the Haryana Municipal Act, 1973 (for short 'the Act'), Bye-Laws 4 and 14 of the Haryana Municipal Business Bye Laws, 1981 (for short the 'Bye Laws') and also Rule 70 of the Haryana Municipal Election Rules, 1978 (for short 'the Rules') as they are relevant for the adjudication of the present controversy. The aforesaid provisions are being reproduced as under :

**Section 18 : Election of President and Vice-President.—**

(1) Every Municipal Committee or Municipal Council shall, from time to time, elect [one of its elected members] to be president for such period as may be prescribed, and the member so elected shall become President of the Municipal Committee or Municipal Council :

Provided that the office of the President in Municipal Committee and Municipal Council shall be reserved for Scheduled Castes and women in accordance with the provisions made in Section 10 :

Provided further that if the office of President is vacated during his tenure on account of death, resignation or no confidence motion, a fresh election for the remainder of the period shall be held from the same category.

(2) Every Municipal Committee or Municipal Council shall also, from time to time, [elect one of its elected members to be vice-president] :

Provided that if the office of the Vice-President is vacated during his tenure on account of death, resignation or no

confidence motion, a fresh election for the remainder of the period shall be held.

- (3) The term of the office of Vice-President shall be for a period of five years or for the residue period of his office as a member, whichever is less.

**Section 26 : Ordinary and Special meetings.**—(1) Every meeting of a committee shall be either ordinary or special.

- (2) Any business may be transacted at an ordinary meeting unless required by this Act or the rules to be transacted at a special meeting.
- (3) When a special and an ordinary meetings are called for the same day the special meeting shall be held as soon as the necessary quorum is present.

**Section 27 : Quorum.**—(1) The quorum necessary for the transaction of business at a special meeting of a committee shall be one-half of the number of the members of the committee actually serving at the time, but shall not be less than three.

- (2) The quorum necessary for the transaction of business at any ordinary meeting of a committee shall be such number or proportion of the members of the committee as may, from time to time, be fixed by the bye-laws, but shall not be less than three :—

Provided that, if at any ordinary or special meeting of a committee a quorum is not present, the chairman shall adjourn the meeting to such other day as he may think fit, and the business which would have been brought before the original meeting if there had been a quorum present shall be brought before, and transacted at, the adjourned meeting, whether there be a quorum present there or not.

**Bye-Law 4 : Notice [Section 31(1)].**—(1) A written notice of the meeting duly signed by the Secretary shall be delivered

to every member or left at his usual place of abode or business with some adult member or servant of his family and if it cannot be so delivered, it shall be affixed on some conspicuous part of the place or his abode or business giving at least seven clear days before the date fixed for an ordinary meeting and forty-eight hours for a special meeting.

- (2) The notice of every meeting shall specify the business proposed to be transacted there at and shall state the place, date and time of the meeting.

**Bye-Law-14. Adjournment and notice of adjourned meeting [Section 31(c) and (1)].**—In the absence of requisite quorum or if the members refuse to obey the ruling or the decision of the majority of the members present in the meeting, the Chairman may adjourn the meeting at any time and once the meeting is adjourned subsequent proceedings of the meeting or any resolution passed thereafter shall be void. The notice of an adjourned meeting shall be given by the Chairman on the spot and shall be sent to the members who are absent in accordance with Bye-law 4. No business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting which was adjourned. No quorum shall be necessary at an adjourned meeting :

Provided that the place, date or hour of such adjourned meeting may be modified, in an emergency, but in such cases, the meeting shall require the requisite quorum.

**Rule 70 : Oath of allegiance and election of President etc. \***

(1).—The Deputy Commissioner or any gazetted officer appointed by him in this behalf shall, within a period of [Thirty days] of the publication of the notification of the names of the members elected to a committee convene the first meeting of the newly-constituted committee at forty-eight hours notice to be delivered at their ordinary place of residence. The notice shall clearly stated that the oath of allegiance will be administered to the members present, and that the election of President and Vice President shall

be held in the meeting. The convener shall administer the oath to the members and shall preside over the meeting till the election of the President and the Vice President. Such meeting shall be deemed to be a validly convened meeting of the committee. Notwithstanding anything contained in any bye-laws, made under the provisions of Section 31 of the Act, the administration of the oath of allegiance and the election of the President and Vice-President shall be recorded as part of the proceedings in the minutes of the meeting.

- (2) The oath of allegiance shall be administered to a member who was not present at the meeting convened under sub-rule (1) or to a member elected or nominated to fill a casual vacancy subsequently by the Chairman of the meeting at which such member appears to take such oath.
- (3) The terms of office of the President shall be for five years or the residue of the term of his office as a member whichever is less. The President shall be elected from amongst the members of the Committee.
- (4) The offices of the presidents in the municipalities shall be filled up from amongst the members belonging to the general category. Scheduled Castes, Backward Classes and women by rotation which will be determined in the manner as detailed below :

Provided that the number of offices of the president reserved for the Scheduled Castes and Backward Classes in the State shall bear as may be the same proportion to the total number of such offices of the municipalities as the population of the Scheduled Castes and Backward Classes in the State bears to the total population of the State :



Provided further that not less than one third of the total number of offices of the president in the municipalities shall be reserved for women including the offices reserved for Scheduled Castes and Backward Classes women. The reservation of offices for women shall rotate to different municipalities which will be determined by draw of lots, by a committee consisting of the {State Election Commissioner, Haryana} and Deputy Commissioners of the districts concerned or their nominee. If women of the reserved category are not available, then the office of the president shall be filled up from the male member of the said reserved category. {In case a woman of the reserved category is elected subsequently, then the office of the President shall be deemed to have been vacated and the elected women shall be elected as President in accordance with the provisions of these rules.}:

Provided further that the number of offices of the president for Scheduled Castes and Backward Classes shall be determined on basis of their population and shall rotate to different municipalities firstly, having largest population of Scheduled Castes, secondly, from the remaining municipalities having largest population of Backward Classes and they rotate in the subsequent terms of offices of the municipalities having their next largest population and so on. In case percentage of population of two Municipal Committees or Municipal Councils as regard Backward Classes and Scheduled Castes is the same the reservation will be determined by draw of lots to be conducted by a committee consisting of [State Election Commissioner, Haryana] and Deputy Commissioner of district concerned or his nominee :

Provided further that in case of office of the Municipal Council reserved for the backward Classes, the

President shall be elected from amongst the members belonging to the Backward Classes and in case of Municipal Committee, the member of Backward Class shall be deemed to be elected as president of the committee reserved for the Backward Classes.”

(5) It is argued that a perusal of the aforesaid Provisions shows that as per Section 18 of the Act, one of the elected members can become the President or the Vice President, as per Section 26 of the Act, there could be only two kinds of meetings of a Committee which can be either ordinary or special, according to Section 27 of the Act, quorum is necessary for the transaction of any business at any ordinary or special meeting of the Committee which shall be one half of the number of members of the Committee actually serving at that time but shall not be less than 3, Bye-Law 4 of the Bye-Laws provides that notice has to be for specified place, date and time of the meeting. Bye-Law 14 provides that in case of an adjourned meeting notice shall have to be given by the Chairman on the spot and shall be sent to the members who are absent in accordance with Bye-Law 4 and Rule 70 provides that within the period of 30 days of publication of notification of the names of the members elected to a Committee, the Deputy Commissioner or any gazetted officer appointed by him in this behalf shall convene the first meeting of the newly constituted Committee at forty eight hours notice which clearly states that the oath of allegiance will be administered to the members present and that election to the office of the President and the Vice President shall be held in the meeting. Convener shall administer the oath to the members and shall preside over the meeting till the election of the President and the Vice President.

(6) Counsel for the appellants has vehemently argued that the resolution dated 5th August, 2005 is patently illegal as the same has been passed without quorum as prescribed under the Law. He has referred to the meeting dated 12th April, 2004 which was convened only for the administration of oath to the newly elected members. No proceedings were carried out for the purpose of election of the President and the Vice President, therefore, the meeting which was held under Rule 70 was over on 12th April, 2004. It is further argued that for the purpose of election of the President and the Vice President, a special

meeting was held on 21st February, 2005 which had failed due to the lack of quorum because out of 17 members only 8 members had participated whereas quorum required was of 9, however, resolution was passed for the election of the President and the Vice President in the special meeting held on 5th August, 2005 in which again out of 17 members, 8 members had participated which number was short of the required quorum. Counsel for the appellants has thus argued that although the quorum was incomplete and the proceedings dated 5th August, 2005 directly ran counter to the proceedings held on 21st February, 2005 yet the learned Single Judge has erroneously decided that no quorum is required for the election of the President and the Vice President in the special meeting as it is not a business of the Committee. It was further highlighted by the counsel for the appellants that on 17th April, 2003, the State Election Commission, Haryana had issued instructions regarding the election to the office of President and Vice President of Municipalities by exercising the powers conferred under Article 243ZA of the Constitution of India and Section 3A of the Act as to how the nomination papers have to be filled up while holding the elections for the posts of President and Vice President. The relevant portion of the nomination paper is extracted from the record, is reproduced as under :—

“(1) That the nomination paper for election to the office of President and Vice President shall be as given below :—

Form of Nomination Paper for Election for the office of President/Vice President of Municipal Council/Committee.

Name of Municipal Council/Committee \_\_\_\_\_

Name in Full of Candidate \_\_\_\_\_

Father's name/Husband's name \_\_\_\_\_

Full Address \_\_\_\_\_

Name in Full of proposer \_\_\_\_\_

Signature of the Proposer \_\_\_\_\_

Name in full of Secunder \_\_\_\_\_

Signature of the Secunder \_\_\_\_\_

## DECLARATION OF CANDIDATE

I hereby declare that I agree to the nomination and I am willing to serve.

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of Candidate

## DECLARATION BY A CANDIDATE WHO IS A MEMBER OF ANY SCHEDULED CASTE/BACKWARD CLASS

I do hereby declare that I am a member of the \_\_\_\_\_ caste which has been declared in the Scheduled Caste/Backward Class in the State of Haryana.

Date :

Signature of candidate”

(7) Counsel for the appellants has argued that in the resolution dated 5th August, 2005, name of proposer is mentioned, however, name of the seconder is conspicuous by its absence. It was pointed out that at the time of commencement of proceedings, Jit Singh Municipal Councilor proposed the name of Kuldeep Singh and Dharampal Singla, Municipal Councilor proposed the name of Smt. Krishna Lakra for the post of President and Vice President respectively but nothing has been mentioned in the proceedings as to who had seconded them. It was further argued that the learned Single Judge has erred in appreciating the fact that both the meetings held on 21st February, 2005 and 5th August, 2005 were categorically mentioned as “special meetings” and it is provided under Section 27 of the Act that quorum necessary for transacting the business of a special meeting shall have to be one half of the number of members of the Committee actually serving at that time but shall not be less than 3. Therefore, counsel for the appellants submitted that once the meeting which has been itself held to be a special meeting which is covered by Sections 26 and 27 of the Act, the observation of the learned Single Judge that no quorum is required in meeting, held under the rules is not only erroneous but illegal.

(8) Mr. P. K. Mutneja, learned counsel for respondents No. 4 and 5, on the other hand, argued that the election of the President and

the Vice President of the Municipal committee has to be held in a meeting under the Rules for which no quorum is required. Quorum is required for transacting business of the Committee in the ordinary and special meeting whereas the election of the President and the Vice President is not a business of the Committee. He further referred to the Provisions of Article 243ZA, 243W, 243X, 253R(b) of the Constitution of India as well as Section 3A of the Act and Rule 70 of the Rules. It is argued by him that Rule 70 of the Rules is a Code by itself in which there is no provision for quorum. Counsel had argued that decision rendered by the learned Single Judge is in accordance with law and does not call for any interference in appeal. In the end, counsel for the respondents No. 4 and 5 had also objected to the maintainability of the writ petition before this Court under Article 226 of the Constitution of India and alleged that the petitioner should have availed alternative remedy of election petition. In this regard, a decision of the Full Bench of the Court has been cited in the case of **Prithvi Raj versus State Election Commission, Punjab and others** (1).

(9) Shri S.K. Bishnoi, counsel for the State and Shri B.S. Sra, Advocate appearing for respondent No. 6 adopted the arguments raised by counsel for respondents No. 4 and 5.

(10) We have heard counsel for the parties and have perused the record with their assistance.

(11) The facts are not much in dispute.

(12) According to Rule 70 of the Rules, Deputy Commissioner or Gazetted Officer appointed by him, within a period of 30 days of the publication of the notification of the names of the members elected to the Committee, has to convene the first meeting of the newly constituted Committee at 48 hours notice clearly stating that the oath of allegiance shall be administered to the newly elected members and that the election of the President and the Vice President shall also be held in that meeting. Under Rule 70 of the Rules, no quorum is prescribed obviously because all the newly elected members are expected to attend that meeting for the purpose of taking oath. In the meeting held on 12th February, 2004

---

(1) 2007(2) ILR (P&H) 206.

where all the 15 elected members came present, only oath of allegiance was administered to them and no other proceeding was carried out for the purpose of election of the President and the Vice President. After the oath, the meeting dated 12th February, 2004 was concluded without reference to the election of the President or the Vice President.

(13) After the aforesaid meeting dated 12th February, 2004, a “special meeting” was called on 21st February, 2005 after a gap of about 10 months specifically for the purpose of the election of the President and Vice President but that meeting had failed due to lack of quorum because out of 17 members of the Committee, the required quorum for passing the resolution was of 9 members out of which only 8 members had attended the meeting. Therefore, the meeting was postponed/adjourned by the Chairman of the meeting without giving any specific date and time. This meeting in our view, being a special meeting was required to have quorum of one half of the number of the members of the Committee actually serving at that time as per Section 27 of the Act in which the resolution was not rightly passed. However, after a gap of another six months, another “special meeting” was convened on 5th August, 2005 for the election of the President and the Vice President after giving a fresh notice but in this meeting again only 8 members had participated which was lesser than the required quorum of 9 members, however, the impugned resolution was passed and respondents No. 4 and 5 were declared elected as the President and the Vice President respectively.

(14) Counsel for the respondents has miserably failed to explain to us as to why the “special meeting” held on 21st February, 2005 was adjourned/postponed due to lack of quorum and why a “special meeting” held on 5th August, 2005 in which the same quorum was present, the resolution was passed. All that has been argued before us is that for the election of the President and the Vice-President, no quorum is required as per Rule 70. We have already observed here-in-above that in the meeting held which was called under Rule 70 of the Rules, only oath was administered to the newly elected members and the elections were not held. Since the elections have been held in a special meeting which is defined under Section 27 of the Act for which quorum is provided as one half of the number of the members serving at that time.

As per Section 27 of the Act, the impugned resolution could not have been passed without the required as per law. Therefore, the impugned order is patently illegal and unsustainable in the eyes of law.

(15) If according to the arguments of the learned counsel for the respondents, the election of the President and the Vice-President could only be held in the meeting convened under Rule 70 of the Rules and only business could be transacted in a special or ordinary meetings and the election of the President and the Vice-President is not the business of the Committee then how the impugned resolution dated 5th August, 2005 could have been passed in a special meeting whereby respondents No. 4 and 5 have been elected. Therefore, looking from any angle, the impugned resolution is patently illegal and unsustainable.

(16) It may also be highlighted, as argued by the learned counsel for the appellants that according to the instructions of State Election Commission, Haryana, which has been reproduced here-in-above, name of the candidate who has been proposed has to be seconded by the member of the Committee but in the present case, in the proceedings dated 5th August, 2005, only name of the proposer is there whereas the name of the seconder is conspicuously absent. Meaning thereby the instructions of the State Election Commission, Haryana have not been followed which itself is a violation of law and vitiates the election of respondents No. 5 and 6.

(17) So far as the argument of respondents that the appellants should have availed the alternative remedy of election petition is concerned, the judgment of the Full bench in the case of **Prithvi Raj** (*supra*) lays down that an election under the Municipal Act commences with the issuance of a notification, by the State Government, under Section 13-A(2) of the Municipal Act. The election is thereafter held by the State Election Commission. The 'election' concludes with the declaration of the result. Thus, a petition that 'calls into question' as election during the peiord of the election would not be entertained under Article 226 of the Constitution of India and the redress to any such grievance would have to await the outcome of the election and then also would be urged, by filing an election petition under the provisions of the Election Commission Act. Whereas the present election to the

post of President and Vice-President is not covered by the aforesaid decision, therefore, the writ petition filed by the petitioners-appellants herein was maintainable although this aspect has not been decided by the learned Single Judge as the main petition was dismissed on merits.

(18) In view of the discussion, the present appeal is hereby allowed and the order of the learned Single Judge dated 3rd April, 2007 is set aside. Consequently, resolution dated 5th August, 2005 whereby respondents No. 5 and 6 are elected as the President and the Vice-President respectively of the Municipal Committee. Pinjore and notification dated 8th August, 2005 whereby respondent No. 5 is notified as President of Municipal Committee, Pinjore are also quashed, being illegal and a direction is also being issued to respondents No. 1 to 4 to hold fresh elections to the office of the President and the Vice-President of the Municipal Committee. Pinjore within a period of one month in accordance with law from the date of receipt of copy of this order. No order as to costs.

---

**R.N.R.**

*Before M.M. Kumar & T.P.S. Mann, J.J.*

**RAM CHAND AND OTHERS,—Petitioners**

*versus*

**STATE OF PUNJAB & OTHERS,—Respondents**

C.W.P. No. 8960 of 2006

30th January, 2008

*Constitution of India, 1950—Art. 226—Punjab Town Improvement Act, 1922—Ss. 36, 42 and 43—Trust preparing development scheme strictly in accordance with provisions of 1922 Act—Acquisition of land after complying with all provisions envisaged by S. 37—Petitioner failing to point out any application made asking for documents—Plea of non-supply of documents by respondent not sustainable—No alteration sought by trust in sanctioned scheme as per notification—All developments taken place before granting final sanction—Petitions liable to be dismissed.*