



2022:JKLHC-SGR:4771

S. No. 117
Suppl. List 1

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 1867/2022
CM No. 4635/2022

M/S. Zareena Akhter

...Petitioner(s)

Through: Mr. Arif Sikandar Mir, Adv.

Vs.

UT of JK and Ors.

Through:

CORAM:

HON'BLE MR JUSTICE SANJEEV KUMAR, JUDGE

ORDER
30.08.2022

The petitioner has called in question the resolution of 'No Confidence Motion' moved against her for her removal from the post of Vice President, Municipal Committee, Pampore. The petitioner also prays for a direction to the respondents to allow her to perform her duties of Vice President of Municipal Committee, Pampore. So far as the challenge to the 'No Confidence Motion' moved by seven members of the Municipal Committee, Pampore, is concerned, the same has not proceeded further, in that, the Authority competent to convene a meeting for taking of 'No Confidence Motion' has not issued any communication in this regard. The writ petition to that extent is premature. The petitioner, however, shall be at liberty to approach this Court once action for 'No Confidence Motion' against her is initiated by the competent Authority.

So far as the second prayer of the petitioner that she is not being permitted to perform her duties of her office is concerned, needless to say that



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till 'No Confidence Motion' proposed against her by some of the members is taken up for consideration and culminates into her removal, the petitioner cannot be prevented from performing her duties, which the Municipal Act, 2000 and the Rules and By-Laws framed thereunder confer upon her to be performed in the absence of president. It is stated that the President already stands removed from his office by way of 'No Confidence Motion'.

In these circumstances and for the reasons stated above, this petition is **disposed of** by directing the respondents to ensure that so long as the petitioner holds the position of Vice President of the Municipality Committee, Pampore, she shall be permitted to perform her duties of Vice President, which, as per the provisions of Municipal Act, 2000 and the Rules and By-Laws framed thereunder are enjoined on the Vice President in the absence of President.

(SANJEEV KUMAR)
JUDGE

SRINAGAR

30.08.2022

"Shamim Dar"