

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1213 of 2023

Petitioner :- Pankaj Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Panchayat Raj Deptt. Civil
Secrt. Lko. And 5 Others

Counsel for Petitioner :- Rajeev Singh, Lalji Gupta, Prashant Kumar
Singh

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Jaspreet Singh, J.

1. Heard learned counsel for the petitioner and Sri Indrajeet Shukla, learned Addl CSC for the State.

2. The petitioner by means of this writ petition has prayed for a writ of mandamus directing the competent authority to take a decision on the complaint made by him as regards financial irregularities alleged against the Gram Pradhan and Panchayat Sachiv i.e. opposite parties no. 5 and 6.

3. It appears that the complaint made by the petitioner has been made as per rules i.e. by filing an affidavit alongwith the complaint.

4. Any complaint made with due compliance of the rules relating to a financial irregularity is bound to be considered and decided within the scope of the U.P. Panchayat Raj (Removal of Pradhan, Up-Pradhan and Members) Enquiry Rules, 1997 framed under the provisions of U.P. Panchayat Raj Act, 1947.

5. There is no dispute that the complaint made by the petitioner as contained in Annexure-1 to the writ petition is not in accordance with rules.

6. That being the position, the District Magistrate is hereby directed to consider and decide the complaint made by the petitioner expeditiously in accordance with rules.

7. We, however, make it clear that this Court has not expressed any opinion on the merit of the case.

9. The writ petition is disposed of accordingly.

Order Date :- 22.12.2023

Fahim/-