

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of decision:29.07.2015.

Jagpal and another

.....Petitioners

v.

State of Haryana and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vaibhav Narang,Advocate for the petitioners
Mr.Rajesh K Sheoran,Addl.AG Haryana for official
respondents
Mr.SP Chahar,Advocate for respondents 8 to 11

Jaswant Singh,J.(Oral)

Two residents of Village Sulodha,Tehsil and District Jhajjar are seeking a writ in the nature of mandamus directing the Deputy Commissioner, Jhajjar and Director, Panchayat and Development, Haryana for taking action against Sarpanch, her husband, Ranvir Singh Badak,Sub Divisional Engineer and Dharambir Singh Dhankhad,Junior Engineer under the Haryana Panchayati Raj Act,1994 for having committed forgery, cheating, embezzlement and corruption; further prayer is for also initiating criminal and civil action against them.

Upon notice, the learned Additional Advocate General points out that a regular enquiry for removal has been initiated against the Sarpanch and a charge sheet for imposition of major penalty against

the SDE and JE is in the process of being finalised. He assures the Court that the disciplinary action against said SDE and JE shall be completed expeditiously.

As regards criminal action, prima facie, there appears to be some substance in initiating criminal action against them as well. However, since the Chief Secretary, Haryana is the competent authority to take a decision in that regard and having chosen not to initiate any criminal action, this Court is not inclined to order initiation of criminal proceedings. However, petitioners would be at full liberty to initiate criminal proceedings in accordance with law in case they make out a case for such initiation.

With the above observations present writ petition stands disposed of.

29.07.2015.
joshi

(Jaswant Singh)
Judge