

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

**CWP No.16240 of 2013 (O&M)
Date of Decision: 04.03.2015**

Jagtar Singh

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. B.S. Sidhu, Advocate for the petitioner.

Mr. V.Ramswaroop and Mr. Yatinder Sharma,
Addl. A.G., Punjab.

JASWANT SINGH, J. (ORAL)

CM No.18317 of 2013

Allowed, as prayed for.

Annexure P-10 be taken on record.

CWP No.16240 of 2013

The petitioner who held the office of Sarpanch for five years during the period from 2008 up to 2013 of village Gram Panchayat, Kukar Pind, Tehsil & District Jalandhar, by filing the instant writ petition has sought the quashing of the inquiry proceedings pending before the Commissioner of Police, Jalandhar/respondent no.3 on a complaint (Annexure P-1) submitted by a Panch/respondent no.4. Reliance for such a claim has been placed on the instructions dated 02.01.1995 (Annexure P-5) and instructions dated 23.06.2009 (Annexure P-7).

It is apparent that the complaint relates to the allegations of mis-utilization of Government grants released by the Central Government under the MGNREGA scheme by showing amounts paid to nonexistant workers, handicapped and

incapacitated persons etc. It is also alleged that such amounts were subsequently transferred in the personal account of Jagtar Singh-Sarpanch.

A reply on behalf of the respondent no.3 has been filed whereby it has been acknowledged that the inquiry based on the complaint (Annexure P-1) cannot be continued, apparently in the light of the instructions which provide that no police action for such allegations is to be initiated at the first instance, which is to be first enquired into by the officials of the Panchayat Department.

Subsequently, the petitioner has moved CM No. 18317 of 2013 seeking to place on record an inquiry report dated 22.11.2013 conducted by the Additional Deputy Commissioner, regarding the allegations as Annexure P-1.

The said inquiry report is addressed to the BDPO with findings that the allegations against (Sh.Jagtar Singh) in complaint Annexure P-1 have been found to be correct and therefore, further action in accordance with law has been recommended.

At the time of hearing, counsel for the petitioner states that in the light of the Commissioner of Police, Jalandhar having abandoned the investigation at the first instance in view of the instructions, the primary grievance of the petitioner has been

redressed and thus, the present writ petition has become infructuous.

Dismissed as having been rendered infructuous.

(JASWANT SINGH)
JUDGE

04.03.2015
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