

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.20601 of 2015

Date of Decision: September 28, 2015

Ashok Gulrajani

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.A.P.Bhandari, Advocate, for the petitioner.

-.-

1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The petitioner had filed objections against the draft notification purposing the constitution of a separate Gram Panchayat by the name of 'Tappa' in district Palwal. The petitioner's objection was that there is no village in the name of 'Tappa' and there is no 'revenue estate' of such village, hence there could not be a Gram Panchayat, for there is no 'Gram Panchayat area'. This Court vide order dated 28.05.2015 passed in CWP No.11670 of 2015 (Ashok Gulrajani versus State of Haryana and others) directed the Competent Authority to decide those objections after holding a fact-finding enquiry within six months.

While the period of six months is yet to expire, it appears that the authorities have included 'Tappa' amongst the list of villages for whom Gram Panchayat elections are to be held.

The aggrieved petitioner has filed this second writ petition challenging the election process initiated for the constitution of Gram Panchayat of 'Tappa'.

We have heard learned counsel for the petitioner and are of the view that since the matter regarding the very existence of 'Tappa' as a revenue village is under examination of the authorities pursuant to the directions issued by this Court on May 28, 2015, there is no necessity for the petitioner to initiate the instant proceedings. In case his plea that there is no revenue village by the name of 'Tappa' is accepted, it is obvious that there will be no 'Gram Sabha Area' for which a Gram Panchayat can be constituted. Election of Gram Panchayat, if any held, would thus be subject to final decision that may be taken by the Competent Authority pursuant to previous order of this Court dated 28.05.2015.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

September 28, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE