

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.21498 of 2015

Date of Decision:- 08.10.2015.

Parkash Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

- 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?**

Present: Mr. G.S. Dhillon, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

1.) Notice of motion to respondent Nos.1 to 4 only. Since no order adverse to respondent Nos.5 to 8 is being passed, they need not be called upon at this stage.

2.) The Gram Panchayat of Village Sialka, Block Tarsika, Tehsil Baba Bakala, District Amritsar is unfortunately divided into two groups. While one group i.e. respondent Nos.5 to 8 are led by the Sarpanch (respondent No.5), the another group has filed the instant writ petition. The challenge here is to the order dated 24.8.2015 passed by the Director-cum-Special Secretary, Rural Development and Panchayat Department whereby BDPO has been directed to

convene a meeting of the Gram Panchayat under his supervision and in case there are equal votes on both sides, the Sarpanch may exercise the casting vote.

3.) Since the petitioners' grievance is that they were not heard by the Authority before passing of the above stated order, we dispose of this writ petition without expressing any views on merits with a direction to the Director-cum-Special Secretary to hear the petitioners as well and resolve the dispute in such a manner that the Gram Panchayat-as an institute of democracy at the grassroot level is able to perform its duties without any hindrance. It is made clear that so long as there is an elected Sarpanch against whom no case of any suspension etc. is made out, the Authorities shall not appoint any Administrator as has been held by this Court in **Sona Kaur Vs. Director Rural Development and others** vide order dated 03.09.2015. The petitioners be heard within one week.

4.) A copy of this order be given **dasti** to the learned State counsel for information and necessary compliance.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

October 8, 2015.

sandeep sethi