

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.25506 of 2015
Date of Decision: December 07, 2015

Sardool SinghPetitioner
versus
The State of Haryana and othersRespondents

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

Present: Mr.Vinod Bhardwaj, Advocate, for the petitioner.
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent Nos.1 to 7 only at
this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let seven copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

Since no order on merits prejudicial to the interest
of respondent No.8 is being passed, it is not necessary to serve
it. The officials respondents are also not required file reply-
affidavit.

The petitioner is a resident of village Theh Newal,
Tehsil Guhla, District Kaithal. He alleges that Sarpanch of the
Gram Panchayat in collusion with some officials of the
Panchayat Department has fraudulently auctioned the Gram

Panchayat's land for the years 2014-2015 and 2015-2016 without conducting any transparent and fair public auction. It is alleged that no publicity was given to the auction and this fact has been proved in a fact-finding enquiry conducted by the City Magistrate, Kaithal on a complaint made by the petitioner and some other residents of the village. Enquiry report dated 13.04.2015 has also been appended as P-1. The petitioner's allegations are that notwithstanding a categorical finding in respect of serious irregularities committed in the alleged auction, no action is taken pursuant to that enquiry report. The petitioner has further pointed-out that while lease period for the year 2014-15 has already lapsed, remedial steps for the year 2015-16 can be taken.

Having heard learned counsel for the parties and considering the nature of relief sought however without expressing any views on merits of the allegations made by the petitioner, we dispose of this writ petition with a direction to the Deputy Commissioner-cum-Collector, Kaithal to ascertain the correct facts with reference to the enquiry report referred to above and take necessary steps in accordance with law and after observing the principles of natural justice. The needful shall be done within a period of three months from the date of receiving a certified copy of this order. If need be, the Deputy Commissioner will be at liberty to direct another fact-finding enquiry in respect of the year 2015-16.

Ordered accordingly.

[SURYA KANT]
JUDGE

December 07, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE