

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

CWP No.4962 of 2015

Date of Decision:-25.03.2015

Avtar Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Vivek Chauhan, Advocate for the Petitioner.

Ms. Naiya Gill, Advocate for Caveator/respondent no.5
Complainant-Sarpanch.

JASWANT SINGH, J.(ORAL)

The elected Panch of Gram Panchayat, Hansala, District Block Derra Bassi, District SAS Nagar is invoking the writ jurisdiction of this Court seeking the quashing of the order dated 5.9.2014 (P-6) passed by the Director Department of Rural Development and Panchayats, Punjab-respondent no.2 whereby he has been suspended from his office; further challenge is to the order dated 5.01.2015 (P-7) whereby the appeal preferred by the petitioner against his suspension order dated 5.9.2014 (P-6) has also been dismissed.

After hearing counsel for the parties, this Court finds no ground to invoke the jurisdiction under Article 226.

It is evident that before suspending the petitioner as Panch due

process of law was followed by issuing of a show cause and consideration of his reply. It has been found that the petitioner is in illegal possession of some Panchayat's land as prima facie established by Revenue records. A time bound regular enquiry for his unauthorised possession has also been ordered. Therefore, it cannot be accepted that the action of the respondent is arbitrary or without any basis.

In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

March 25, 2015
Vinay