

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

Date of decision:29.04.2015.

Goverdhan Gopal

.....Petitioner

v.

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Arvind Kashyap,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Petitioner is an elected Chairman of Zila Parishad, Pathankot since July 2013. The grievance of the petitioner is that although the funds have been released under the 13th Finance Commission to the Zila Parishads, however the works to be carried out are to be chosen by Deputy Commissioner concerned and therefore, it is submitted that his powers as Chairman have been usurped.

After hearing counsel for the petitioner at some length this court is not inclined to agree with the learned counsel for the petitioner.

No doubt, as per Clause(e) of sub-Section(1) of Section 172 of the Punjab Panchayati Raj Act,1994, Chairman has to exercise supervision over the financial and execution matters of the Zila Parishad, however, merely because funds released under a special scheme towards works to be carried out are to be chosen by Deputy

Commissioner, cannot be construed to interfere with his over all supervisory powers. It cannot be disputed that the petitioner has demonstrated no instance of any work having been undertaken by the Deputy Commissioner of his District resulting into any misutilisation of funds. Therefore, the argument raised is an abstract without any basis.

In view of the above, present writ petition is dismissed with costs of Rs.5000/- to be deposited with District Legal Service Authority, Pathankot within one month from today. In case of non-deposit of said costs within stipulated time, Secretary, District Legal Service Authority, Pathankot shall take necessary steps to recover the same as arrears of land revenue.

29.04.2015.
joshi

(Jaswant Singh)
Judge