

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No. 1505 of 2014 (O&M)
DECIDED ON: SEPTEMBER 03, 2015

SONA KAUR

.....APPELLANT

VERSUS

DIRECTOR RURAL DEVELOPMENT & OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.**

Present: Ms. Bhawna, Advocate, for
Mr. J.S. Bhandohal, Advocate
for the petitioner.

Mr. Rajesh Bhardwaj, Addl. AG, Punjab.

Mr. Baljinder Singh, Advocate
for respondents No.4 to 6.

- 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)

This Letters Patent Appeal is directed against the order dated August 26, 2014 whereby, learned Single Judge has upheld the appointment of Administrator of Gram Panchayat notwithstanding the fact that there is a duly elected Gram Panchayat consisting of appellant-a women Sarpanch and five Panches including respondents No. 4 to 6. The learned Single Judge has observed

that the Administrator was appointed for 45 days only to spent ₹1 lac which were received by Block Development and Panchayat Officer for erection of a boundary wall and shed around the cremation ground.

2. That 45 days period has since expired. It is thus not necessary to find out the extraneous considerations which led to the appointment of the Administrator. When there is an elected Gram Panchayat, the District Administration or the BDPO have no business to interfere in the affairs of a democratically elected Gram Panchayat. Even, if there were some disputes amongst the Sarpanch or Panches, the issues ought to have been left to be resolved through democratic process. We thus, allow this appeal, set aside the order of learned Single Judge and dispose of the writ petition as infructuous but with a restraint order against the respondents that henceforth, no Administrator of Gram Panchayat shall be appointed and the appellant alongwith elected Panches shall be allowed to handle the affairs of village in accordance with rules, Government Instructions and the Statute.

3. We have no reason to doubt that respondents No.4 to 6 will also realise the importance of institution of an elected Gram Panchayat, which is a symbol of democracy at the grass root level and shall continue to extend their full support for the development activities of the village.

**[SURYA KANT]
JUDGE**

**September 03, 2015
sham**

**[JASPAL SINGH]
JUDGE**