

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

LPA No. 385 of 2015 (O&M)

DATE OF DECISION : 11.03.2015

Jaswinder Singh and others

.... APPELLANTS

Versus

State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Buta Singh Bairagi, Advocate,
for the appellants.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 23.09.2014 passed by the learned Single Judge, whereby the writ petition (CWP No. 20284 of 2011) filed by the appellants seeking direction to the Deputy Commissioner, Ludhiana (respondent No.2) as well as respondents No.3 and 4 to restrain Gram Panchayat of village Galib Ran Singh, Post Office Fatehgarh Sivian, Tehsil Jagraon, District Ludhiana, from raising construction of a sports stadium in the land belonging to the Gram Panchayat, has been dismissed, while observing that the Gram Panchayat is fully competent to take its decision in accordance with law and there is nothing illegal in the action of the Gram Panchayat.

Though there is delay of 29 days in filing and 56 days in re-filing the instant appeal and the appellants have filed applications (CM Nos. 742-43-LPA of 2015) for condoning the delay, yet we have heard learned counsel for the appellants on merits and have gone through the order passed by the learned Single Judge.

It is undisputed position that the Gram Panchayat has taken the decision to establish a sports stadium in the village on the land of the Gram Panchayat. This decision has been taken by the Gram Panchayat in consonance with the view of the Gram Sabha of the village. The appellants are few residents of the village, who are opposing the decision of the Gram Panchayat. In our opinion, the Gram Panchayat cannot be restrained from doing the work as per its decision in accordance with law. Merely because, the appellants are of the view that construction of the stadium in the village is a wasteful expenditure, this court cannot interfere. It also appears to us that the aforesaid writ petition has been filed with political motive. Thus, we are not inclined to interfere with the order passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

March 11, 2015
ndj

(HARINDER SINGH SIDHU)
JUDGE