

CWP No.14934 of 2016

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

**CWP No.14934 of 2016
Date of decision:28.07.2016**

Krishan Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Narender Pal Bhardwaj, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner is aggrieved against the order dated 27.08.2015 passed by the Lokayukta, Haryana. It is submitted that an error has been committed by the Lokayukta, Haryana, in not appreciating the report of the Sub Divisional Officer, Panchayati Raj.

I have heard learned counsel for the petitioner and examined the available record.

The report of the Sub Divisional Officer. Panchayati Raj is superseded by the report of the Block Development and Panchayat Officer and in this regard, the finding has rightly been recorded by the Lokayukta. The operative part of the impugned order reads as under:-

“After hearing the parties, it revealed that SDO, Panchayati Raj has found less quantity of grills installed in the school than amount drawn by the Panchayat. The BDPO has not agreed with him and has submitted that grills are of different sizes and it seems

SDO, Panchayati Raj has taken the length of one grill and has calculated quantity. BDPO was, thereafter, desired to visit the spot and take measurement himself. The BDPO has now gone to the spot and taken measurement. He has also attached photographs of measurement. Perusal of this report reveals that the lengths of grills are in variance from 26” to 85”. He has calculated the total length and breadth and has found that the assessment comes out to be of 1072ft. These figures are shown by the Panchayat in the bills. The sale is mentioned in the stock register. The Sarpanch and Secretary were also desired to file their reply on the complaint. Their reply has been filed. Documents by the Secretary have also been attached. The perusal of these documents show that permission by the BDPO has been granted to him to retain the Govt. house. The Secretary has also deposited the required amount of rent with the Panchayat Samiti. No objection to the reply has been filed.

During arguments, it further revealed that the complainant has placed cow dung etc. in the common place. Village was declared under Nirmal Gramin Yojna. Resultantly, those articles of cow dung etc. were removed. The complainants bore grudge against the Sarpanch and Secretary. He is making complaints to one and another authority.

Keeping in views the report of the department, I find that the complaint has no force and deserves to be filed.

Then, the learned Registrar submitted the complete file for further finalization of recommendations as required under Section 17 of the Haryana Lokayukta Act, 2002 (for short the Act). This is how the matter has been now put up before me.

The matter has been discussed and heard and the entire relevant material and evidence collected by the learned Registrar in this matter as well as his report has also been gone into minutely.

During the course of discussion/arguments it has transpired from the enquiry reports and other material brought on the file that the expenses incurred on the panchayat works have been found in consonance with the bills and receipts. At the same time, the Secretary, Gram Panchayat was allowed to retain the Government quarter with due permission and for that his House Rent Allowance

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was duly deducted from his salary. In the given facts, circumstances and taking into consideration the aforesaid report of the learned Registrar, no further action is now called for in this matter at the end of this institution.”

In view of the aforesaid, I do not find any merit in the present petition and hence, the same is hereby dismissed.

July 28, 2016
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(Rakesh Kumar Jain)
Judge