

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15320-2016

Date of Decision: August 19, 2016

Daljit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Manish Prabhaker, Advocate,
for the petitioner.

Ms. Monika Chhiber Sharma, DAG, Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

Present writ petition is directed against the order dated 15.7.2016 (Annexure P-1) whereby because of the in-fighting of members of the Panchayat and the Sarpanch, an Administrator was appointed to look after the day-to-day affairs of the Gram Panchayat.

Notice of motion was issued and pursuant thereto reply on behalf of respondent Nos. 1 to 4 filed in the Court today, which is taken on record and a copy thereof given to learned counsel for the petitioner.

During course of hearing, learned counsel for the State has brought to the notice of this Court judgment dated 30.9.2015, passed by this Court in the case of **Binder Kaur v. State of Punjab and others, 2016 (1) R.C.R. (Civil) 634**, to contend that since the petitioner has got equally efficacious remedy of revision under Section 201 of the Punjab Panchayati Raj Act, 1994 (for short, 'the 1994 Act'), he may be relegated to his alternative remedy.

Faced with the above, learned counsel for the petitioner submits

that the petitioner shall approach the revisional authority within a period of one week from today by filing an appropriate revision petition and the revisional authority may be directed to decide the same at an early date.

After hearing learned counsel for the parties at some length, the present writ petition is disposed of relegating the petitioner to his equally efficacious remedy of revision under Section 201 of the 1994 Act, at the first instance. If the petitioner files the revision petition against the impugned order within one week from today, the revisional authority shall consider and decide the case at an early date, but in any case within a period of one month from the date of receipt of revision petition, by passing an appropriate order thereon strictly in accordance with law.

With the above observations and direction issued, the present writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

August 19, 2016
P Kapoor

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO