

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

CWP No.206 of 2016
Date of Decision: 08.01.2016

Zile Singh

. . . .Petitioner

Versus

State of Haryana and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.S.K. Nehra, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

The petitioner has prayed for a writ in the nature of mandamus seeking direction to the respondents to get the construction work of the memorial building, in the memory of his father, completed.

In brief, the case set up by the petitioner is that the Government had decided to build a memorial along with library in the memory of his father Jai Karan Sihag, who was the Freedom Fighter. The funds for the said purpose were released by the Government to the Gram Panchayat. The memorial has though been built but it has not allegedly completed and despite various representations to the official respondents, no action is being taken.

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

As a matter of fact, for the construction of library ₹2 lacs were granted under the District Plan during the year 2009-10. The work was executed, measured and entertained in the MB by the JE of O/o BDPO/SDO, Panchayati Raj, in which the total expenditure incurred was ₹2,02,428/-. However, the Sarpanch of the Gram Panchayat and some other persons were ordered to be proceeded against for using poor material in the construction work. Insofar as the memorial-cum-library is concerned, the building has been constructed and it is for the Gram Panchayat to start the library, which according to the petitioner has not been started by them.

Learned counsel for the petitioner has been candid enough to concede that the petitioner has not made any such request/representation to the concerned Gram Panchayat but has made the representation to the Financial Commissioner.

In my opinion, if the work is to be done by the Gram Panchayat, the representation has to be made to it and not to the Financial Commissioner, therefore, at this stage, I do not find any reason to interfere in this petition. The petitioner may, if so advised, approach the Gram Panchayat concerned.

Dismissed.

08.01.2016

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**