

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

**Civil Writ Petition No. 21969 of 2016
Date of Decision: 22.10.2016**

Gram Panchayat Bela, Tehsil and District Palwal, Haryana through its
Sarpanch Smt. Suman

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Yash Paul Khullar, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the impugned communication dated 3.3.2016 (Annexure P-3), whereby panchayat funds were sought to be allocated amongst all the three Gram Panchayats, as a consequence of bifurcation of the original Gram Panchayat-Bela, petitioner has approached this Court by way of present writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari, for quashing the impugned order.

Heard learned counsel for the petitioner.

It is a matter of record that petitioner-Gram Panchayat did not challenge the order of bifurcation dated 1.4.2013 (Annexure P-1). Once the order of bifurcation has been accepted by the petitioner-Gram Panchayat, the impugned communication is nothing but a natural consequence thereof. The distribution of panchayat funds are being sought to be made in most reasonable manner, i.e. on per person basis.

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During the course of hearing, learned counsel for the petitioner could not point out or suggest any better method of distribution of panchayat funds amongst all the three Gram Panchayats. However, learned counsel for the petitioner raised another issue that after withdrawing panchayat funds meant for two newly created Gram Panchayats, out of the petitioner Gram Panchayat, same has been misappropriated by the concerned government officials/officers. However, petitioner-Gram Panchayat has not approached any competent authority raising this allegation. In this view of the matter, petitioner-Gram Panchayat is granted liberty to move an appropriate representation before the Deputy Commissioner, Palwal-respondent No.3 within a period of two months from today. As and when such a representation is made by the petitioner to the Deputy Commissioner, he shall consider the grievance raised therein and shall pass an appropriate order thereon at an early date, strictly in accordance with law but in any case within a period of three months from the date of receipt of representation from the petitioner.

The Deputy Commissioner, Palwal, shall also ensure taking an appropriate action against the erring officers/officials of the department, if it is so required.

With the abovesaid observations made and directions issued, present writ petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

22.10.2016
Ak Sharma

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No