

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.22334 of 2016
Date of decision: 26.10.2016

Gajo Devi and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. H.K. Brinda, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (ORAL)

Instant writ petition is directed against the order dated 19.10.2016 (Annexure P-9) passed by District Development and Panchayat Officer, Rupnagar-respondent No.2, whereby respondent No.3 was appointed as Administrator of the Gram Panchayat of the petitioners.

Heard learned counsel for the petitioners.

An identical issue fell for consideration of this Court in **Binder Kaur Vs. State of Punjab and others, 2016 (1) RCR (Civil) 634**, whereby provisions of Section 201 of the Punjab Panchayati Raj Act, 1994 ('the Act of 1994' for short) were interpreted to mean that against such an order appointing Administrator for the Gram Panchayat, a revision petition would be maintainable. It is also not in dispute that the petitioners did not avail the said remedy of revision available to them under Section 201 of the Act of 1994, before filing the present writ petition.

In view of the above, petitioners are relegated to their equally efficacious alternative remedy of revision under Section 201 of the Act of 1994, at the first instance. It goes without saying that the revisional authority shall consider all possible pleas raised by the petitioners and shall decide the revision petition, at an early date, by passing an appropriate order thereon, strictly in accordance with law. However, since the impugned order (Annexure P-9) prima facie seems to be contrary to the observations made by a Division Bench of this Court in **Ranjit Kaur and others Vs. State of Punjab and others, 2006 (1) LAR 546**, operation of the impugned order (Annexure P-9) shall remain stayed till the appropriate order is passed by the revisional authority in the revision petition filed by the petitioners. These directions are being issued keeping in view the peculiar facts and circumstances of the case and also to ensure that the revision petition filed by the petitioners would not render infructuous, for the reason that the Administrator has been appointed only for a limited period of one month.

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

[RAMESHWAR SINGH MALIK]
JUDGE

26.10.2016
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No