

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.24786 of 2016
Date of decision: 01.12.2016

Kamlesh Rani and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.S. Toor, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this Court, by way of present writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of certiorari/mandamus.

Learned counsel for the petitioners submits that against the order dated 18.11.2016 (Annexure P-2), whereby respondent No.5 was appointed as Administrator of Gram Panchayat of the petitioners, they filed their revision petition before respondent No.1 under Section 201 of the Punjab Panchayati Raj Act on 23.11.2016. The revision petition was presented before respondent No.1 in the Court itself on 23.11.2016, which was listed for hearing on 30.11.2016. When the case was taken up on 30.11.2016, it was again adjourned to 07.12.2016, without considering even the stay matter, thereby causing a serious prejudice to the petitioners. Learned counsel for the petitioners further submits that the petitioners would be satisfied in case respondent No.1 is directed to

consider the revision petition at an early date or at least the stay matter be decided without further delay and till then, the order dated 18.11.2016 (Annexure P-2) may be ordered to be kept in abeyance.

Having heard the learned counsel for the petitioners and without expressing any opinion on merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of, with a direction to the Secretary to Govt. of Punjab, Department of Rural Development and Panchayat-respondent No.1 to consider the revision petition of the petitioners filed under Section 201 of the Punjab Panchayati Raj Act at an early date and decide the same by passing an appropriate order thereon, strictly in accordance with law but in any case within a period of one month from the date of receipt of certified copy of this order.

However, keeping in view the peculiar facts and circumstances of the case noticed hereinabove and also to ensure that statutory revision petition filed by the petitioners may not be rendered infructuous, it is directed that till the appropriate interim/final order is passed by respondent No.1 in the revision petition of the petitioners, the order dated 18.11.2016 (Annexure P-2), whereby respondent No.5 was appointed as Administrator of Gram Panchayat of the petitioners, shall be kept in abeyance.

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

[RAMESHWAR SINGH MALIK]
JUDGE

01.12.2016
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No