

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

CWP No.3127 of 2016

Date of Decision : 16.2.2016

Kanta Rani and another

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioners.

MAHESH GROVER.J.

Learned counsel for the petitioners contend that Annexure P-2 be quashed whereby an enquiry regarding the irregularities of the Panchayat funds for the period 2003 to 2013 has been ordered to be conducted. He relies on Section 216 (4) of the Punjab Panchayati Raj Act, which is extracted herebelow, to contend that the petitioners cannot be required to make good any loss, after the expiry of four years from the occurrence of the loss, waste or misapplication or after the expiry of two years from their ceasing to be members, whichever is later.

(4) Notwithstanding anything contained in this section, no person shall be called upon to explain why he should not be required to make good any loss, after the expiry of four years from the occurrence of the loss, waste or misapplication or after the expiry of two years from his ceasing to be a member whichever is later.”

On due consideration of the matter, I am of the opinion that merely an inquiry is under way and no such orders envisaged under Section 216(4) of the Punjab Panchayati Raj Act have been passed. Consequently, the petition is dismissed as premature.

16.2.2016
dss

(MAHESH GROVER)
JUDGE