

CWP-6190-2014(O&M)

Sr. No.204

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-6190-2014(O&M)

Date of Decision: 16.11.2016

Malkiat Singh

.....Petitioners

VS.

State of Punjab and others

....Respondents

CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Mr. Ajay Singh, Advocate
for Mr. Mohit Malik, for the petitioner.
Mr. B.M.Vinayak, DAG, Punjab.
Mr. Abhishek Arora, Advocate
for respondents no.6,7 and 8.

-:-

RAMESHWAR SINGH MALIK, J

Feeling aggrieved against Annexures P1 and P2 i.e copies of resolution and complaint respectively, petitioner has approached this Court for issuance of a writ in the nature of mandamus, directing the respondents no.1 to 3 to take appropriate action and to register an FIR against respondents no.4 to 8 and for conducting inquiry.

Notice of motion was issued and in compliance thereof, a short reply by way of affidavit dated 25.07.2014 was filed on behalf of the official respondents along with a detailed inquiry report dated 06.12.2013 Annexure R1.

Learned counsel for the State, while referring to the operative part of inquiry report, running into more than 20 pages, submits that matter

has been inquired into repeatedly and the complaint moved by the petitioner

CWP-6190-2014(O&M)

was found without any substance. He prays for dismissal of the writ petition as having been rendered infructuous.

Faced with the above, learned counsel for the petitioner also fairly states that let the present petition be disposed off, in terms of the statement made by learned counsel for the State, but liberty may be granted to the petitioner to pursue his other remedies, before appropriate forum, in accordance with law.

Relevant operative part of Inquiry Report dated 06.12.2013 (Annexure R1) available at page 65 of the paper book, deserves to be noticed here and same reads as under:

“ *After perusing the above, it can be said that because there is no truth in any of the charge mentioned in the complaint, the same is liable to be consigned to record room. The resolution dated 20.05.2011 of Gram Panchayat can be cancelled under Punjab Panchayati Raj Act, 1994.* ”

In view of the above said undisputed facts situation obtaining on record of the present case, instant writ petition is disposed off as having been rendered infructuous, however, with liberty as prayed for.

Disposed off accordingly.

(RAMESHWAR SINGH MALIK)

JUDGE

November 16, 2016

mamta

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No