

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 14697 of 2016
Date of Decision : 23.01.2017

Rashpal Singh and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE**
 HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Harkeerat Singh, Advocate for the petitioners.

Mr. Sunil Kumar Vashisht, Assistant Advocate General, Punjab
for respondents No. 1 to 4.

Mr. Nakul Sharma, Advocate for respondent No. 5.

....

S.J. VAZIFDAR, C.J.(Oral)

The petitioners seek the following relief:

- (b) *Issuance of an appropriate writ in the nature of mandamus directing the respondents No. 1 to 5 for to take appropriate penal action against the respondent No. 5 who is directing the funds allotted to the Gram Panchayat by the Government for his own personal use by creating a bogus account.*
- (c) *Further issuance of an appropriate writ in the nature of mandamus directing the respondents No. 1 to 4 to stop the illegal mining/extraction of earth from the land owned by the Gram Panchayat Phallewal.*

Some of the Members of the Panchayat have been impleaded but not all. Be that as it may, respondent No. 5 denies all the allegations against himself and in any event makes a statement that he will not use the funds of the Panchayat received in respect of the 14th Finance Commission either directly or indirectly for any purpose.

Thus, prayer (b) is disposed of by recording the above statement and accepting the same by passing an order in terms thereof.

So far as prayer (c) is concerned, the respondents state that the extraction of earth did not constitute illegal mining. In any event, they state that there is no further mining or extraction of earth proposed any further. The statement is accepted and it is also so ordered.

We are informed that an inquiry, inter alia, in respect of the allegations made in this petition is being conducted by the District Development and Panchayat Officer. The petitioners have joined that inquiry in pursuant to an interim order dated 01.09.2016. The petitioners are at liberty to adopt proceedings in accordance with law after the receipt of the report of District Development and Panchayat Officer.

The petition is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(ANUPINDER SINGH GREWAL)
JUDGE

23.01.2017
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Whether speaking/reasoned? No

Whether reportable? No