

Sr.No.143

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

CWP No. 13849 of 2017

Date of decision:03.07.2017

Krishan Lal

.....Petitioner

versus

State of Haryana and others

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Rakesh Kumar Jain, J.(Oral)

The petitioner is the present Sarpanch. He was elected in the year 2016 after the earlier Sarpanch Smt. Reshma Devi w/o Rampal had demitted office on completion of her tenure. He made an application to the Chief Minister, Haryana for taking action against Ex-Sarpanch. The grievance of the petitioner is that no inquiry is being conducted although the loss has been caused to the Panchayat by the ex-Sarpanch. In this regard, he has referred to Section 53 of the Haryana Panchayati Raj Act, 1994(for short, 'the Act') and contended that the loss can be recovered even from an ex-Sarpanch before the expiry of two years from the date of her ceasing as Sarpanch.

I have heard learned counsel for the petitioner and found that the concerned authority to initiate action is Block Development Panchayant Officer to whom the petitioner has not filed any application and since no application has been given to the concerned authority, therefore, no direction can be issued in this case to him as prayed for.

Counsel for the petitioner prays that he may be allowed to

withdraw this petition in order to file appropriate application in terms of the provisions of Section 53 of the Act to the concerned officer for the purpose of taking necessary action against the Ex-Sarpanch Smt. Reshma Devi w/o Rampal.

Dismissed as withdrawn.

Liberty granted.

3rd July, 2017

Shivani Kaushik

[Rakesh Kumar Jain]
Judge

Whether speaking/reasoned

Yes

Whether Reportable

Yes/No