

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 15830 of 2017

Date of decision : July 21, 2017

Sahbo Devi

..... Petitioner

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. S. S. Duhan, Advocate
for the petitioner

RAKESH KUMAR JAIN, J (oral).

This petition is filed by a senior citizen, resident of the village Rabhra, making a complaint of non-availability of the safe drinking water both for the animals and human beings.

Learned counsel for the petitioner has referred to Section 21 of the Haryana Panchayati Raj Act, 1994 wherein the duties of the Gram Panchayat have been mentioned including the duty of construction, repairs and maintenance of drinking water wells, tanks and ponds.

It is submitted by the counsel for the petitioner that he has not approached the Gram Panchayat for redressal of his grievance and has rather been making applications to the higher authorities.

Needless to say that the application has to be filed to the authority who has to discharge function under the statute and not to the authority who has to supervise. In this case, the petitioner has to make the application at the first instance to the Gram Panchayat, raising all the grievances regarding drinking water or cleanliness of the ponds. If the

raise it before the higher authorities.

Faced with these observations, learned counsel for the petitioner seeks withdrawal of the petition at this stage to make an appropriate application to the Gram Panchayat in terms of the provisions of the Act.

Dismissed as withdrawn with liberty aforesaid.

(RAKESH KUMAR JAIN)
JUDGE

July 21, 2017
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No