
Tilak Raj**Petitioner**

State of Punjab and othersRespondents

Present:- Ms. Sunita Singh, Advocate for the petitioner.

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The petitioner is an elected Sarpanch. He is aggrieved that the Gram Panchayat in its meeting held on 10.05.2017, passed a resolution to appoint Sohan Singh as authorised Panch. It is submitted that in the presence of the elected Sarpanch, authorised Panch cannot be appointed by the Gram Panchayat. The petitioner, thus, in order to challenge the alleged illegal resolution passed by the Panchayat, filed a petition in terms of Section 199 of the Punjab Panchayati Raj Act, 1994 (for short, 'the Act') on 18.07.2017. However, it is submitted that the said application has not made any headway as no decision has been given by the Director.

I have heard learned counsel for the petitioner. Since the remedy under the Statute to challenge the illegal resolution for the purpose of its suspension or cancellation vests with the Director Department of Rural Development and Panchayat, Punjab, which has already been availed by the petitioner by moving an application/ petition under Section 199 of the Act, therefore, it is the turn of the Director to react to the application/

petition and decide the same in accordance with law. He cannot keep on sitting on the application to the detriment of the interest of the petitioner who is an elected Sarpanch. Consequently, the present petition is hereby disposed of with a direction to the Director, Department of Rural Development and Panchayat, Punjab who is stated to be seized of the application/ petition filed by the petitioner under Section 199 of the Act to decide the same as early as possible preferably within a period of three days from the date of receipt of certified copy of this order. The petitioner is directed to appear before the Director on 08.08.2017 along with copy of this order.

A copy of this order be given dasti under the signatures of the Special Secretary of this Court.

August 04, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No