

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 17386 of 2017

Date of decision : October 24, 2017

Gram Panchayat Village Rajpura Majra and others

..... **Petitioner**

Versus

State of Haryana and others

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Vikram Singh , Advocate
for the petitioners.

Mr. Saurabh Mohunta, DAG., Haryana.

RAKESH KUMAR JAIN, J (oral).

This writ petition is filed at the instance of 45 persons of the Gram Panchayat in the nature of Certiorari for quashing the letter dated 5.2.2015 by which the Gram Panchayat funds have been ordered to be transferred to the concerned Executive Engineers and there was a cap of Rs.10 lacs for the Panchayat to spend. The notification dated 5.2.2015 was challenged in this Court in a bunch of writ petitions and the lead case CWP No. 20417 of 2016 titled as **Gram Panchayat Village Dingar Majra and others Vs. State of Haryana and others** was decided on 10.5.2017 holding that as per the provisions of Sections 39 and 40 (a) of The Haryana Panchayati Raj Act, 1994 all the funds of the Gram Panchayat can only be utilized by the Panchayat and not by officers of the Government.

Learned counsel for the State has also produced a notification dated 13.10.2017 by which amendment has been brought in the

Taxation and Works (Amendment) Rules, 2017” by which the cap of Rs.10 lacs has been removed and now the Gram Panchayat can spend more than Rs.10 lacs for the purpose of development work.

In view thereof, the present writ petition is disposed of accordingly.

(RAKESH KUMAR JAIN)
JUDGE

October 24, 2017
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No