

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

**C.W.P. No.19780 of 2017
Date of Decision:01.09.2017**

Smt. Manisha Devi Petitioner

Vs.

State of Haryana and others Respondents

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Vikas Lochab, Advocate for the petitioner.

Rakesh Kumar Jain, J. (Oral)

The petitioner had earlier approached this Court by way of CWP No.24299 of 2016 – Shyam Sunder v. State of Haryana and others for the same cause of action after moving an application to the Director Panchayat, Haryana on 11.04.2016. The said writ petition was decided on 28.11.2016 with the following order :-

“After arguing the case for some time, learned counsel for the petitioner seeks permission of the Court to withdraw the present writ petition with liberty to the petitioner to pursue his remedy with the respondent authorities.

Permission is granted.

Dismissed as withdrawn with liberty, as prayed for.”

Thereafter, the petitioner made a representation to the Additional Chief Secretary, Department of Development and Panchayat, Haryana for the same purpose and has submitted that the said representation has not been decided.

I have specifically asked learned counsel for the petitioner as to about the competent authority who has to pass the order in such circumstances. He has been fair with the Court to submit that the Director Panchayat, Haryana is the competent authority. If the Director Panchayat, Haryana is the competent authority, then on what ground, the representation has been made to Additional Chief Secretary who has to do nothing with this matter. The petitioner has also approached the Director Panchayat, Haryana even before CWP No.24299 of 2016 was filed but this Court did not agree with him and as a result, he has to withdraw the writ petition with liberty to pursue his remedy with the respondent authorities. The petitioner has to approach the Director in any case but insofar as the present petition for direction to respondent No.1 is concerned, is not maintainable. Hence, the same is hereby dismissed.

September 01, 2017
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(RAKESH KUMAR JAIN)
JUDGE

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