

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 22699 2017

Date of decision : October 4, 2017

Suman Lata

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Shashi Bharat Bhushan, Advocate  
for the petitioner.

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**RAKESH KUMAR JAIN, J (oral).**

The petitioner is a Sarpanch who has approached this court against a show cause notice dated 15.9.2017 issued by the Deputy Commissioner, Karnal in terms of Section 51 of the Haryana Panchayati Raj Act, 1994. The allegations against the petitioner are that she was contesting the election for the post of Sarpanch. The certificate of 8<sup>th</sup> class obtained from the School was not found to be recognized.

Learned counsel for the petitioner has submitted that inspite of filing reply to the show cause notice the petitioner has filed this petition on the ground that proceedings under Section 51 of the Act cannot be invoked because of the bar of Article 243 (O) of the Constitution of India. He has relied upon the decision of the Supreme Court in **State of Himachal Pradesh and others Vs. Surinder Singh Banolta 2007 (1) RCR (Civil) 254.**

I have learned counsel for the petitioner and perused the record.

The allegations made against the petitioner are still to be

verified by the competent authority, to whom the petitioner is obliged to file the reply. In case the competent authority is not satisfied with the reply then the petitioner can approach this Court. The petitioner has come to this Court at a pre-mature stage, therefore the present writ petition is not maintainable.

With these observations, the present writ petition is dismissed.

**(RAKESH KUMAR JAIN)**  
**JUDGE**

**October 4, 2017**  
**archana**

**Whether speaking/reasoned**  
**Whether Reportable**

**Yes/No**  
**Yes/No**