

**In the High Court of Punjab and Haryana at Chandigarh.**

**CWP- 22844 of 2017  
Decided on 06.10.2017.**

Gram Panchayat Bhagwanpura, District Tarn Taran

--Petitioner

Vs.

State of Punjab and others

--Respondents

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

Present: Mr.Veneet Sharma,Advocate, for the petitioner

**Rakesh Kumar Jain,J:** (Oral)

This petition is filed against the letter dated 11.8.2017 purported to have been sent by B.D.P.O Bhikhiwind, District Tarn Taran to the Panchayat Secretary of his block for the purpose of bifurcation of the Panchayats.

Learned counsel for the petitioner has submitted that the procedure could not have been adopted at the whims and fancies of the local M.L.A who has been arrayed as respondent No.5 in this petition. In this regard, he has referred to Section 3 of the Punjab Panchayati Raj Act, 1994 to contend that the jurisdiction solely vests with the State Government and the M.L.A, in any manner, is not a government.

After hearing learned counsel for the petitioner and examining

the record, I am of the considered opinion that the present petition is totally premature because the petitioner would have a right to challenge the notification, if any, issued by the State for the purpose of declaring the panchayat after bifurcating the existing panchayat.

With these observation, this petition is found to be premature and the same is hereby dismissed.

Liberty is, however, given to the petitioner to challenge the notification, if any issued by the State affecting its rights.

**06.10.2017**  
**rr**

**(Rakesh Kumar Jain)**  
**Judge**

Whether Speaking/Reasoned: Yes/No.

Whether Reportable: Yes/No.