

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.23813 of 2017

Date of Decision: November 10, 2017

Gurmail Singh

. . . . Petitioner

Vs.

Secretary, Punjab Government and others

. . . . Respondents

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

Present: Mr.Dinesh Kumar, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has challenged the order dated 10.8.2017 passed by respondent No.1 by which the order passed by respondent No.2 has been set aside.

Learned counsel for the petitioner submits that respondent No.3 was put under suspension by an order passed by respondent No.2 in terms of Section 20(4) of the Punjab Panchayati Raj Act. 1994 [for short 'the Act'] against which respondent No.3 had filed appeal under Section 20 of the Act which has been allowed by respondent No.1. It is submitted that respondent No.3 is not cooperating with the development work of the Panchayat, therefore, he has rightly been put under suspension by respondent No.2. It is further submitted that respondent No.1 did not take into consideration the argument raised by the petitioner and therefore, the order passed by respondent No.1 is not speaking.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that there is no error in

the impugned order because it is not in dispute that respondent No.3 is not attending the meetings of the Panchayat. The only allegation made against him is that he is not consenting to the agenda put forward in the meeting. The view expressed by respondent No.1 in this regard is correct because if respondent No.3 is not attending the meeting of the Panchayat then it could have been said that he is not cooperating with the development of the Panchayat because his presence is required in the meeting but once he is attending the meeting and not agreeing with the agenda, it cannot be said that he is not cooperating with the Panchayat for the purpose of development work.

Consequently, I do not find any merit in the present case and the same is hereby dismissed though without any order as to costs.

November 10, 2017

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No