

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

CWP No.25884 of 2017
Date of Decision: November 13, 2017

Suresh Kumar and another Petitioners

Vs.

State of Punjab and others Respondents

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

Present: Mr.K.S. Dadwal, Advocate, for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for seeking a direction to the respondents to decide the objections of the petitioners dated 20.7.2017 against the formulation of new Gram Panchayat out of the Gram Panchayat of Village Dholbana, District, Hoshiarpur.

Learned counsel for the petitioner has submitted that the total strength of this Gram Panchayat is of 2000 people out of which separate Gram Panchayat is being constituted of 270 people. Section 3 of the Punjab Panchayati Raj Act, 1994 provides that the State Government may, by notification, declare any village or group of contiguous villages with a population of not less than three hundred to constitute a Gram Sabha area. The objections at this stage cannot be entertained in view of the Division Bench judgement of this Court rendered in the case of "*Gram Panchayat Panj Garaian Vs. State of Punjab and others*" 2008(4) RCR (Civil) 719, in which it has been held that the declaration of territorial area of Gram Sabha did not concern the interest of an individual citizen or a particular resident of that area and the rules of natural justice are not required to be observed.

So far, the Government has not issued any kind of notification, therefore, the matter is still at the stage of decision.

In view of these observations, learned counsel for the petitioners prays for withdrawal of the petition at this stage with liberty to approach the Government.

Dismissed as withdrawn.

Liberty granted.

NOVEMBER 13, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No