

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

139

Civil Writ Petition No.17461 of 2018
Date of Decision: July 19th, 2018

Om Parkash

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging that respondent No.6-Usha Devi, who has been elected as a Sarpanch of the Village, do not possess the requisite qualification for appointment to the post of Sarpanch as the certificate of Middle Class, which has been produced by her, on an inquiry, has been found to be bogus, on the basis of which a show cause notice dated 06.09.2017 (Annexure P-5) has been issued to her, wherein reply was to be submitted within a period of ten days. FIR No.196 dated 12.10.2017 stands registered against respondent No.6 under Sections 420, 467, 468, 471 IPC at Police Station Chhapar, District Yamunanagar, but till date, no decision on the show cause notice has been taken by the Deputy Commissioner, Yamunanagar, despite a period of more than ten months passed by. Petitioner has also submitted a representation dated 27.02.2018 (Annexure P-7) to the Deputy Commissioner, Yamunanagar, highlighting these aspects but the same has also not been considered.

Counsel thus contends that the petitioner, at this stage, would be satisfied if a direction is issued to respondent No.3- Deputy Commissioner, Yamunanagar, to consider the representation of the petitioner and take a decision thereon, within some specified time.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with a direction to the Deputy Commissioner, Yamunanagar-respondent No.3 to consider and decide the representation dated 27.02.2018 (Annexure P-7) of the petitioner within a period of two months from the date of receipt of certified copy of this order, if already not decided.

July 19th, 2018

Puneet

(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No