

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

CWP No.19923 of 2018 (O&M)
DATE OF DECISION : 1st DECEMBER, 2018

Gurdeep Singh & others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI
HON'BLE MR. JUSTICE H. S. MADAAN**

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Present : Mr. O. P. Kamboj, Advocate for the petitioners.

Ms. Anu Pal, Deputy Advocate General, Punjab.

Mr. Nakul Sharma, Advocate for Caveator/respondent No.6.

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A. B. CHAUDHARI, J. (Oral)

Rule.

Heard forthwith with consent of counsel for the rival parties.

The grievance of the petitioners is regarding the division of the Gram Panchayat into two.

Learned State counsel submits that there is no adjudication by the competent authority and whatever objections have been raised by the petitioners in the petition so also by the caveator/respondent No.6.

Learned counsel for caveator/respondent No.6 invited our attention to the letters dated 13.12.2017 and 14.12.2017 (Annexure P- 8 & 9 respectively) and submits that the same amounts to adjudication.

We reject this argument.

This Court in the case of ***Punjab Pradesh Congress Committee versus State of Punjab and others***, in ***CWP No.8290 of 2013*** on 13.06.2013, and particularly in operative para 4 thereof has directed the authorities to decide first the grievance in such matters. The obvious reason for making direction was that before the writ Court, there should be a speaking order by the authority making adjudication.

In view of the above, we direct the appropriate authority i.e. respondent No.2 to consider the grievances of the petitioners as well as caveator, in accordance with law, and if necessary, after hearing the parties or their representative(s), and pass a speaking order, within a period of four weeks from today.

Copy of this order shall be placed before respondent No.2 by the petitioners.

The Rule stands disposed of with the direction as aforesaid.

(A. B. CHAUDHARI)
JUDGE

1st DECEMBER, 2018
'raj'

(H. S. MADAN)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>