

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

(i) CWP-26302-2016

Date of decision : 30.10.2018

Sarpanch Association, Block Lakhan Majra, Rohtak

...Petitioner

Versus

State of Haryana and others

...Respondents

(ii) CWP-3660-2017

Date of decision : 30.10.2018

Sarpanch Association, Block Jagadhri, Yamunanagar

...Petitioner

Versus

State of Haryana and others

...Respondents

(iii) CWP-1708-2017

Date of decision : 30.10.2018

Sarpanch Association, Block Radaur, Yamunanagar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Pawan Kumar, Advocate,
for Mr. Saurabh Arora, Advocate,
for the petitioner in CWP-26302-2016.

None for the petitioner in CWP-3660-2017.

Mr. Robin Dutt, Advocate,
for the petitioner in CWP-1708-2017.

Mr. Sandeep Moudgil, Addl.A.G., Haryana.

JITENDRA CHAUHAN, J.

The above noticed three writ petitions filed under Articles 226/227 of the Constitution of India, are being disposed of by this single judgment, as the common questions of facts and law are involved therein. However, for brevity, the facts are being derived from CWP-26302-2016.

The petitioner-association seeks quashing of letters dated 12.07.2016 (Annexure P-2) and 29.08.2016 (Annexure P-3), whereby, the Gram Panchayats were directed to transfer second instalment and to transfer the amount above Rupees ten lakh, respectively, in the account of respondent No.4.

Learned State counsel refers to Gazatte Notification dated 13.10.2017, relevant extract whereof, reads thus:-

“3. In the said rules, in rule 134, in sub rule (1), for clause (a), the following clause shall be substituted, namely:-

“(a) The Gram Panchayat, Panchayat Samiti and Zila Parishad, as the case may be, shall be competent to accord administrative approval of work(s) from Gram Fund, Samiti Fund, Zila Parishad Fund respectively, without any capping as per Schedule 'A'. The Gram Panchayat, Panchayat Samiti and Zila Parishad may execute the work itself or get it done through a contractor or entrust the work to the Panchayati Raj Engineering Wing, subject to technical approval as per Schedule 'A'. All the accounts shall be

maintained by the respective authorities as per departmental register in Form LVIII and tender register Form LIX and LX”.

Thus, in view of the above notification, the capping imposed upon the Gram Panchayat as per Schedule 'A' has already been taken away. Copy of said notification dated 13.10.2017 is taken on record as Mark 'A'.

In this view of the matter, the instant petitions stand dismissed as having been rendered infructuous.

Photocopy of this judgment be placed on the files of the connected case(s).

30.10.2018

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking / reasoned?	Yes	/	No
Whether reportable?	Yes	/	No