

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

CWP-6807-2015 (O&M)

Date of decision: 29.10.2018

Gurinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.MS Gill, Advocate for the petitioner

Ms.Bhavna Gupta, DAG, Punjab

JITENDRA CHAUHAN, J.

The present petition under Articles 226/227 of the Constitution of India has been filed for setting aside the impugned order dated 12.2.2015 (Annexure P-11), vide which respondent No.1 has dismissed the appeal filed by the petitioner against the order dated 19.3.2014 (Annexure P-3) and the petitioner has been suspended from the post of Sarpanch.

Learned counsel for the State has circulated copy of Notification dated 16.7.2018, issued by the Government of Punjab, Department of Rural Development and Panchayat for conduct of general election of the Gram Panchayats. The same is taken on record as Mark 'A'. He submits that vide said Notification dated 16.7.2018, the competent authority in exercise of the powers conferred by Section 29-A of the Punjab Panchayati Raj Act, 1994 has been pleased to dissolve all the Gram

Panchayats in State of Punjab with immediate effect and further authorise the Director, Rural Development and Panchayats-cum- Special Secretary to appoint the persons, namely, Junior Engineers, Social Education and Panchayat Officers, Village Development officers and Panchayat Officers, subject to their availability in the respective Block, as the case may be, during the dissolution period of each such Gram Panchayat (i.e. till the new elected body assumes charges of office) to perform all the functions and exercise powers of the Gram Panchayats and as such, the present petition has been rendered infructuous.

Learned counsel for the petitioner has not controverted the submissions made by the learned State counsel.

In this view of the matter, the petition stands dismissed as having been rendered infructuous.

However, vide order dated 1.5.2015, operation of order dated 12.2.2015 (Annexure P-11) was ordered to be stayed. Considering the fact that the matter has been rendered infructuous, the order dated 1.5.2015 is also modified to the extent that the same shall cease to operate and the respondents are directed to conclude the pending regular enquiry, if any, and copy of the final report be communicated to the petitioner.

29.10.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No