

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

**CWP No.9088 of 2018 (O&M)
Date of decision: 06.12.2018**

BALKAR SINGH (SARPANCH)

...Petitioner

VS.

STATE OF PUNJAB & ORS.

...Respondents

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present : Mr. Rakesh Kumar, Advocate for the petitioner.

Ms. Anu Pal, DAG, Punjab.

Mr. Monika Mehta, Advocate for respondents No. 6 to 8.

A. B. CHAUDHARI, J. (Oral)

Rule.

Heard forthwith with consent of counsel for the rival parties.

It is not in dispute that the grievance made by the petitioner in this writ petition has not been adjudicated by the competent authority, despite the judgment of the Division Bench of this Court in the case of *Punjab Pradesh Congress Committee Versus State of Punjab and others*, in *CWP No.8290 of 2013* passed on 13.06.2013.

In our opinion, since the elections of the Gram Panchayat is to be held in the near future and the mandate of the aforesaid judgment is that the authority must adjudicate upon the grievances/representation of the concerned party(ies), we think it

would be appropriate for the authority to decide the grievances/representation by passing a speaking order after granting opportunity of hearing.

In that view of the matter, we direct respondents No. 2, 3 and 5 to hear and decide the representation (Annexures P-2 and P-7) and pass speaking order. Needless to say that the contesting parties in the present petition would also be heard by respondents No. 2, 3 and 5 within a period of three days from today. The decision shall be given, in accordance with law, within one week thereafter and before the notification of the election is announced, whichever is earlier.

Copy of this order shall be placed before respondent Nos.2, 3 and 5 by the petitioner.

The Rule stands disposed of with the direction as aforesaid.

(A. B. CHAUDHARI)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

December 06, 2018
Poonam (II)

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No