

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

CWP No. 33530 of 2018.

Date of Decision: 19.12.2018.

Joginder

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. R.S. Mamli, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus for directing the respondents to take action against the private respondent for misusing the power.

Learned counsel for the petitioner states that respondent No.5 being Chairman of Panchayat Samiti, Loharu has been convening the meeting without affording clear 10 days time as envisaged under Section 67 of the Haryana Panchayati Raj Act, 1994. In support of the assertion, the learned counsel refers to notice dated 10.06.2017 (Annexure P-1) for convening the meeting of Panchayat Samiti on 15.06.2017 and representation filed by the petitioner in this regard has also not been decided.

Heard.

In view of the above, without adverting to the merits

of the case, the present petition is disposed of with a direction to

respondent No.3-Deputy Commissioner, Bhiwani to consider and decide the representation dated 26.11.2018 (Annexure P-2) within six weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

19.12.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No