

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

**CWP-1459-2019(O&M)
Date of decision-21.01.2019**

Juned

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Talim Hussain, Advocate,
 for the petitioner.

Mr. Vikrant Pamboo, D.A.G., Haryana.

JITENDRA CHAUHAN, J.

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 certiorari, for quashing the impugned orders dated 14.06.2018 (Annexure P-7) and 03.08.2018 (Annexure P-8) passed by respondent No.3 and respondent No.2 respectively whereby show cause notices dated 30.03.2018 had been filed and further suspend respondent Nos.6 and 7 from the post of Panches of Gram Panchayat Bhimsika, Palwal.

Heard.

A complete set of paper book has been handed over to Mr. Vikrant Pamboo, D.A.G., Haryana in the Court today.

Learned counsel for the petitioner contends that at the time of election of Panchayat members of Gram Panchayat Bhimsika, Palwal, Haryana, respondent Nos.6 and 7 had given false affidavits with regard to functional toilets in their respective houses which stands negated by report dated 06.03.2018 (Annexure P-2) and deposition in their affidavits were against records.

Heard.

Vide order dated 03.08.2018 (Annexure P-8) passed in appeal by respondent No.2-Principal Secretary to Government of Haryana, Development and Panchayats Departments, the impugned order dated 14.06.2018 (Annexure P-7) passed by respondent No.3-Deputy Commissioner, Palwal, was set aside and respondent No.3 was directed to decide the matter afresh by passing a detailed speaking order after considering the version of both the parties as well as after hearing all concerned within a period of one month from the date of receipt of the certified copy of the order in accordance with the provision of law. Instead of approaching respondent No.3, the petitioner has chosen to file the instant petition challenging the orders date 14.06.2018 (Annexure P-7) and 03.08.2018 (Annexure P-8). The petitioner has not explained as to how he had access to the houses of private respondents. The Court feels that the present petition is ill-conceived and has been filed with ulterior motive. No cause of action has arisen in favour of the petitioner to invoke the extraordinary jurisdiction of this Court under Articles 226 and 227 of the Constitution of India.

In view of the above, the present petition stands dismissed.

Since a frivolous claim has been raised in the present civil writ petition, therefore, the petitioner is burdened with costs of ₹15,000/- to be deposited with the Punjab and Haryana High Court Bar Association Advocates' Welfare Fund.

21.01.2019

ps-I

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No