

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

CWP-11013-2019

Date of decision: 29.4.2019

Tejo

...Petitioner

Versus

Director, Department of Rural Development and Panchayats, Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.AK Walia, Advocate for the petitioner

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of direction to respondent Nos. 1 to 3 to take appropriate action against respondent No.5 for her suspension from the office of Sarpanch, Gram Panchayat Village Bahamniwala, Tehsil Moona, District Sangrur and also for taking steps for removal of encroachments made by respondent Nos. 5 to 7 and their family members.

Learned counsel for the petitioner submits that on the complaint made by the petitioner, respondent No.2- the State Election Commission wrote letter dated 23.1.2019 (Annexure P-5) to respondent No.1 Director Department of Rural Development and Panchayats, Punjab to take action against respondent Nos. 5 to 7, but the same is still lying pending consideration with respondent No.1.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.1 Director

Department of Rural Development and Panchayats, Punjab to consider and decide the communication Annexure P-5 expeditiously.

Notice of motion.

At the asking of the Court, Mr.Vikas Mohan Gupta, Addl.AG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to him in the Court.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.1 Director Department of Rural Development and Panchayats, Punjab to consider and decide the communication Annexure P-5 expeditiously preferably within eight weeks from the date of 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 her, in such eventuality, the consequential relief be allowed to her, within a period of eight 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.

29.4.2019
gsv

[**JITENDRA CHAUHAN**]
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No

