

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

**Civil Writ Petition No.1131 of 2016
Decided on : 26.02.2019**

Harnek Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Rajat Dogra, Advocate for
Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Ms. Simran Grewal, AAG, Punjab
for respondents No.1 to 3.

Mr. VPS Mathewal, Advocate for
Mr. Vikram Satpal Anand, Advocate for respondent No.4.

G.S. Sandhawal, J. (Oral)

Challenge in the present writ petition filed by the elected Sarpanch under Article 226/227 of the Constitution of India is to appointment of Administrator of the Panchayat of Village Sekhwan, Tehsil Zira, District Ferozepur. Vide order dated 04.09.2015 (Annexure P-1) respondent No.4-Gurpreet Singh was appointed as the Panchayat Administrator. The said order further provides that an appeal could be filed under Section 201 of the Punjab Panchayati Raj Act, 1994.

In the written statement filed by respondents No.1 to 3 it has been averred that the said order is justified on the ground that the petitioner had gone abroad from 18.12.2014 to 02.12.2015 and, thus, on account of the development of the village was affected and the said order had been passed by appointing different Administrators for a period of 60 days. The details

of the Administrator appointed from 09.01.2015 to 09.11.2015 have been given. It has been further averred that on 31.12.2015 a meeting of the Members of Gram Panchayat of village was called for 06.01.2016 to enable the petitioner to complete his quorum for doing the development works of the village, which he had failed to do so. The said facts had been concealed and the writ petition has, accordingly, been filed.

Keeping in view the above facts, which have not been denied by filing replication, the reasons as such by the authorities to appoint an Administrator are well justified. The petitioner himself has not been available and remained abroad for a period of one year for getting medical treatment as per his own case and the development of the village as such cannot be held up on his account. Even otherwise due to sheer efflux of time, on account of the fresh elections having been held, therefore, the present writ petition as such has become infructuous and is disposed of, accordingly.

FEBRUARY 26, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No