

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

CWP-27104-2016 (O&M)
Date of decision : 30.01.2019

Manphool Singh

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ajay Vijarania, Advocate,
for the petitioner.

Mr. S.K. Saini, AAG, Haryana.

JITENDRA CHAUHAN, J.

Prayer in the instant petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ of Mandamus directing the respondents to provide basic facilities in the village of the petitioner and to release appropriate funds under various policies of the State Government.

It is contended that there is no shamlat land for allotment of 100 square yards plots for the Below Poverty Line (BPL) persons of the village and thus, they are deprived of such benefits. There is also lack of basic facilities such as specified phirni of village, public passages, Anganwari Bhawan, Play Ground, Village Secretariat, Community Centre, Dispensary, etc. There is also a problem of potable water.

On the other hand, learned State counsel submits that the petitioner remained Sarpanch of the village from 2001 to 2005. The government released funds to the tune of ₹30,00,000/- approximately under

the *Haryali Scheme*, however, only ₹13,00,000/- were utilized during his tenure. Another amount of ₹10,00,000/- were sanctioned and the petitioner himself got executed different development works in the village.

Heard.

This Court, while issuing notice of motion vide order dated 18.01.2017, observed as under:-

“Without expression of any opinion regarding the locus standi of the petitioner to seek funds for the development of the village of the petitioner as per the State policy, it appears that the steps taken by the petitioner in the capacity as ex-Sarpanch and a citizen, for the funds and facilities for the development of the village is a step towards the social justice, I deem it expedient, in the interest of justice, to seek a status report from the State of Haryana, regarding the funds and facilities provided for the village of the petitioner under various scheme for the development of the village.”

In response thereto, reply has been filed and a perusal thereof reveals that the Gram Panchayat has the following assets in the village:-

1. Government Middle School Building
2. Government Primary School Building
3. Angarwari Bhawan
4. Panchayat Bhawan
5. General Choupal
6. Harijan Choupal
7. Ambedkar Bhawan
8. Stadium

9. Primary Health Centre in the adjoining village Kakroli Sardara
10. Government Veterinary Dispensary in the adjoining village Kakroli Sardara.

Apart from the above, various development works have already been executed in the village which include installation of tubewells, providing work under the MANREGA Scheme, construction of toilets, etc. An amount of ₹50,75,000/- has been spent during 2010-2017 for construction of streets.

There is no grievance raised by the present Sarpanch with regard to release of funds.

In this view of the matter, the instant petition appears to have been filed with some concealed motive. However, considering the fact that basic amenities have already been provided in the village, no further order is required to be passed.

Disposed of.

30.01.2019
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(JITENDRA CHAUHAN)
JUDGE

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