

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

112

CWP-27846-2019

Date of Decision: 27.11.2019

Major Singh

--Petitioner

Versus

State of Punjab and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr.H.S.Batth, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA.J.

Challenge in the instant petition is to order dated 24.01.2019 (Annexure P-4) issued by the Sub Divisional Magistrate (SDM), Bhikhiwind, District Tarn Taran whereby it has been recommended that the headquarter of Sub Division/Tehsil Bhikhiwind would be in a camp office at village Dibbipura, Tehsil Patti, District Tarn Taran.

It is contended that the impugned recommendation is only at the instance of the local MLA whose own village is in close proximity to village Dibbupura. Further urged that if the recommendation was to be given effect, it would cause inconvenience to the inhabitants of as many as 65 villages approximately and such aspect has not been taken into account.

In the considered view of this Court, the action being assailed in the instant writ petition would essentially fall within the domain of a policy decision at the hands of the competent state authority. These are matters in which the writ Court would normally refrain from interfering.

Be that as it may, since it is the case of the petitioner that the impugned decision would adversely affect the inhabitants of a large number of villages, I deem it appropriate to dispose of the writ petition with a direction to the Deputy Commissioner, Tarn Taran to look into the matter against the backdrop of representation dated 15.07.2019 (Annexure P-7) and thereafter take a view as he may deem fit and warranted in accordance with law.

The writ petition is disposed of.

It is clarified that this Court has not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

27.11.2019
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No