

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 3796 of 2019
Date of decision: 13.12.2019

Mohar Singh

.. Petitioner

v.

Sh. Ashok Kumar Meena

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Pooja Arora, Advocate for
Mr. S. S. Duhan, Advocate for the petitioner.
Mr. Sandeep S. Mann, Senior DAG, Haryana.

...

AVNEESH JHINGAN, J. (Oral)

The petitioner filed a writ petition seeking a direction to the official respondents to take appropriate action against respondents No. 4 to 6 (in the writ petition) under Sections 51 and 53 of the Haryana Panchayati Raj Act, 1994.

The writ petition was disposed of on 10.4.2019 directing the Deputy Commissioner, Hisar to take final view on the applications dated 17.10.2016 and 23.10.2018. The needful was to be done within six weeks from the date of receipt of certified copy of the order.

Today, learned counsel for the State has produced order dated 27.11.2019, the same is taken on record and copy handed over to learned

counsel for the petitioner. The relevant portion of the said order is

reproduced below:

“Further, it is submitted with regard to annexure P-8, complaint was got enquired from Executive Engineer, Fatehabad by Director, Development and Panchayat Department, Haryana Chandigarh. A copy of enquiry report was sent to this office by the Chief Vigilance Officer, Development and Panchayat Department, Haryana Chandigarh vide their letter dated 26.7.2019 for taking further disciplinary action against the respondent No. 4 and to recover the amount of loss caused to the Gram Panchayat Fund.

After receipt of the copy of the enquiry report, further action has been taken and a regular enquiry has been ordered regarding allegations leveled against respondent No. 4 (Sarpanch Gram Panchayat, Bheri Akbarpur) vide order endst dated 19.9.2019. Block Development and Panchayat Officer, Uklana has been directed to recover the amount of Rs. 4,73,923/- from the respondent No. 4, who is liable for the loss of Gram Panchayat fund under section 53 of the Haryana Panchayati Raj Act, 1994.

It is also pertinent to mention here that respondent No. 4 (Sarpanch Gram Panchayat, Bheri Akbarpur) has already been placed under suspension vide order dated 25.4.2019.

Further, the regular enquiry under section 51(3) of the Haryana Panchayati Raj Act, 1994 is already initiated with

regard to P-1 vide order Endst No. 5047-56 dated 16.8.2017 (copy attached), similarly the regular enquiry has also been initiated with regard to P-8 vide order Endst. No. 4565-69 dated 19.9.2019 (copy attached). Therefore the representation mentioned at annexure P-1, P-8 are hereby disposed of in view of Hon'ble High Court order dated 10.4.2019.”

From the order, it is evident that the matter has been looked into and even regular enquiry initiated.

In view of the above, the contempt petition is disposed of. However, the petitioner shall be at liberty to avail remedies in accordance with law in case need so arises.

(AVNEESH JHINGAN)
JUDGE

13.12.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No