

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

CWP-33311-2019

Date of decision: 18.11.2019

Tirath Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Shehbaz Thind, Advocate for the petitioner

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing of order dated 17.7.2019 (Annexure P-10) passed by respondent No.2, Director, Department of Rural Development and Panchayats, Punjab.

Learned counsel for the petitioner states that issue raised in the representation dated 26.3.2019 (Annexure P-8) and the reasoning for rejecting the claim of the petitioner have not been reflected in the order dated 17.7.2019 (Annexure P-10). The order dated 17.7.2019 (Annexure P-10) passed by respondent No.2 is a cryptic and passed in a mechanical manner without application of mind. He further submits that at this stage, he would be satisfied, if a direction is issued to respondent No.2 Director, Department of Rural Development and Panchayats, Punjab to reconsider and pass a detailed order on the representation dated 26.3.2019 (Annexure

P-8) in the light of the enquiry report dated 9.4.2019 (Annexure P-7) conducted by Block Development and Panchayat Officer, Luhdhiana-2, expeditiously.

Heard.

A complete set of paper book has been handed over to Mr. Vikas Mohan Gupta, Addl. AG, Punjab in the Court today.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2 Director, Department of Rural Development and Panchayats, Punjab to reconsider and pass a detailed order on the representation dated 26.3.2019 (Annexure P-8) in the light of all the relevant circumstances including the enquiry report dated 9.4.2019 (Annexure P-7) conducted by Block Development and Panchayat Officer, Luhdhiana-2, in accordance with law within six 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 him, in such eventuality, the consequential relief be allowed to him, within a period of six 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.

18.11.2019
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No