

117
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2489 of 2020
Date of decision: 30.01.2020

Raj Kaur

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Ms. Manpreet Kaur, Advocate for
Mr. A.D.S. Jattana, Advocate,
for the petitioner.

Sanjay Kumar, J. (Oral)

The petitioner is the Sarpanch of the Gram Panchayat of Village Ram Diwali Hinduan, Block Majitha, District Amritsar. Her grievance in this writ petition is that the authorities are not permitting her to discharge her functions as per the statutory scheme of the Punjab Panchayati Raj Act, 1994 (hereinafter, 'the Act of 1994'), inasmuch as the Resolution dated 23.05.2019 (Annexure P-2) passed by the Gram Panchayat, under her casting vote, has not evoked any response. According to the petitioner, the issue stands settled in her favour in the light of the order dated 30.08.2019 passed by this Court in ***CWP-23614-2019***, titled **'Amandeep Kaur Vs. State of Punjab and others'**.

Perusal of the record reflects that the Gram Panchayat of Village Ram Diwali Hinduan passed a Resolution on 23.05.2019 (Annexure P-2), and submitted the same to the Block Development and Panchayat

Officer, Block Majitha, the fourth respondent herein, for necessary action. However, it is the complaint of the petitioner that the said authority has not taken any steps pursuant to the said Resolution.

As the authorities concerned are yet to apply their mind to the Resolution passed by the Gram Panchayat and take appropriate action thereon in accordance with law, it would be premature for this Court to entertain this writ petition for adjudication on merits. At this stage, it would suffice if the authorities are directed to take appropriate action as per law upon the aforesaid Resolution passed by the Gram Panchayat under the leadership of the petitioner.

The writ petition is accordingly disposed of directing the Block Development and Panchayat Officer, Block Majitha, District Amritsar, the fourth respondent, to take appropriate action in accordance with the due procedure upon the Resolution dated 23.05.2019, forwarded to him by the petitioner on behalf of the Gram Panchayat of Village Ram Diwali Hinduan. The fourth respondent shall be mindful of the statutory provision, viz., Section 24 of the Act of 1994, as well as the law laid down by this Court in the aforesaid decision while dealing with the matter. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a certified copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

30.01.2020

rakesh

whether speaking/non speaking

:

Yes/no

whether reportable/non reportable

:

Yes/no