

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

CWP-3416-2020

Date of decision: 7.2.2020

**Palwinder Kaur**

**.....Petitioner.**

**vs.**

**State of Punjab and others**

**.....Respondents.**

**CORAM:- HON'BLE MR. JUSTICE SANJAY KUMAR**

Present:- Mr. Balbir Singh Saini, Advocate for the petitioner.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

.....

**Sanjay Kumar, J.(ORAL)**

The grievance of the petitioner is that the authorities are not taking any action upon his representation dated 16.12.2019 (Annexure P-7) made against the Sarpanch of the Gram Panchayat of Village Jasraur, Block Chowgawan, Tehsil Anjala, District Amritsar, the eight respondent herein, despite his disqualification to hold the said post. The representation dated 16.12.2019 was also addressed to the Director, Rural Development and Panchayat, Mohali, who would be the designated authority under Section 20 of the Punjab Panchayati Raj Act, 1994, in the event any action is warranted upon the said complaint. As the petitioner states that no action has been taken upon his complaint and it is for the authority concerned to first apply its mind and enquire into the matter, this Court finds no reason to entertain this writ petition and adjudicate it on merits.

Further, as this Court does not propose to go into the merits of the matter, there is no necessity to put the eight respondent on notice or afford him an opportunity of hearing.

It is for the authority to undertake this exercise in the first instance in accordance with the due procedure.

The writ petition is accordingly disposed of directing the third respondent herein, viz., the Director Rural Development and Panchayat, Punjab, to take appropriate action, if warranted, upon the petitioner's representation dated 16.12.2019 in accordance with the due procedure. In the event the said representation has not been received by the Director Rural Development and Panchayat, Punjab, this writ petition shall be treated as the complaint of the petitioner in that regard and appropriate action shall be taken thereon in accordance with the law.

This exercise shall be undertaken expeditiously and in any event, not later than eight weeks from the date of receipt of a certified copy of this order.

No order as to costs.

**(SANJAY KUMAR)**  
**JUDGE**

7.2.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no