

114

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

CWP No.9195 of 2020

Date of Decision: 03.07.2020

IRFAN AND ANOTHER

.....Petitioners

Vs

STATE OF HARYANA AND OTHERS.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Kunal Dawar, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

Petitioners have preferred this writ petition for the issuance of appropriate order or writ especially in the nature of certiorari for quashing the resolution No.2 dated 29.01.2020 in the ordinary meeting of Zila Parishad, Palwal, whereby the power to use and disburse funds has been delegated by the Chief Executive Officer, Zila Parishad to Chairperson, Zila Parishad.

According to the petitioner, the aforesaid delegation of power is in violation of provisions of Haryana Panchayati Raj Act, 1994.

Precisely for the aforesaid grievance in question, a representation dated 20.03.2020 (Annexure P-3) has been made to Deputy Commissioner, Palwal.

Notice of motion.

On the asking of Court, Mr. Deepak Manchanda, Addl. A.G., Haryana, accepts notice on behalf of official respondents.

Let requisite copies of the petition be supplied to him by learned counsel for the petitioners during course of the day.

In view of nature of order, which this Court proposes to pass there is no necessity of calling upon reply at this stage, as no order prejudicial to the interest of respondents is being passed.

At this stage, without meaning anything as to the availability of legal remedy in favour of the petitioners, I deem it appropriate to direct the Deputy Commissioner, Palwal to have a fair look at the grievance of the petitioners and pass appropriate order on the representation dated 20.03.2020.

It is made clear that the aforesaid order in question in any way will not provide any legal remedy to the petitioners over and above the provisions of Haryana Panchayati Raj Act, 1994. The representation shall be decided on merits in accordance with law preferably within a period of one month from the receipt of certified copy of this order.

Disposed of.

July 03, 2020

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No