

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP 11150 of 2020 (O&M)

Date of Decision: October 16, 2020

Dona Singh

.....Petitioner

Versus

The State of Punjab and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present :Mr. Baldev S. Sidhu, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing
on account of outbreak of pandemic COVID-19.

Petitioner Dona Singh has come in this civil writ petition
under Articles 226/227 of Constitution of India seeking issuance of a writ in the
nature of *certiorari* for quashing of order dated 10.07.2020 (Annexure P-1),
whereby, an Administrator had been appointed by respondent No. 2-District
Development and Panchayat Officer, Ferozepur, District Ferozepur to manage
the affairs of the Gram Panchayat and administer it. The petitioner claims that

he is Sarpanch of the Gram Panchyat village Kamalwala, Block Makhu, District Ferozepur. It is during the course of events, the petitioner came to know that vide order dated 10.07.2020 (Annexure P-1) respondent No.4- Social Education and Panchayat Officer, Block Makhu, District Ferozepur has been appointed as Administrator to run the affairs of the Panchayat and its funds in terms of Section 200 of the Punjab Panchayati Raj Act, 1994 (hereinafter to be referred as '**the Act**') and which has sought to be challenged in this petition.

It is fairly conceded by the petitioner counsel Mr. Baldev S. Sidhu that till date, he did not file any representation to the State Government to challenge the order dated 10.07.2020 (Annexure P-1) where in terms of Section 201 of the Act power vests with the State Government to call for and examine record of proceedings including such an order.

In the light of the same, directly filing of writ petition is inappropriate. Petitioner ought to have first filed his representation before the State Government in terms of Section 201 of the Act and, thereafter, come up before this Court in case of any eventuality. By not doing so has failed to exhaust the departmental remedies as laid in the Act and is against judicial

tenets.

The petition as such stands dismissed on that score at preliminary hearing.

October 16, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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