

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11497 of 2020
Date of Decision: 10.08.2020

Rita Devi

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Vikram Singh, Advocate for the petitioner

Ms. Palika Monga, DAG Haryana

Mr. Dinesh Arora, Advocate for respondent No.4

GIRISH AGNIHOTRI, J. (Oral)

(1) The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

(2) Notice of motion. Ms. Palika Monga, DAG Haryana accepts notice on behalf of respondents No.1 to 3 and Mr. Dinesh Arora, Advocate accepts notice on behalf of respondent No.4, through video conferencing. In view of the nature of order which this Court proposes to pass, there is no necessity to call upon the respondents to file their reply, at this stage.

(3) The present writ petition has been filed by petitioner Rita Devi aged 40 years *inter alia* seeking a direction to respondent No.2 to take strict legal action against the private respondent and the Gram Secretary for misutilising the amount received under the 15th Finance Commission without calling the meeting of Gram Panchayat and further to take action on the application dated 24.07.2020 (P2).

(4) Learned counsel based upon the pleadings submits that the election of Gram Panchat for the post of Sarpanch was reserved for

Scheduled Castes. Thereafter various facts have been mentioned in the writ petition.

(5) At this stage, learned counsel submits that for the same/similar grievance made in the present writ petition, the petitioner has got served an application/representation dated 30.06.2020 (P1) followed by another application/representation dated 24.07.2020 (P2), but the same have not been decided till date.

(6) Learned counsel for the respondent No.4 submits that the present writ petition is abuse of process of law.

(7) Having heard learned counsel for the parties, this Court deems it appropriate to dispose of the writ petition, without commenting upon the merits of the case, by directing the competent authority to consider and decide the petitioner's claim as raised in her applications/representations (P1 & P2) as early as possible and preferably within 3 months from the date of receipt of certified copy of this order.

(8) So ordered.

10.08.2020
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No