

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

CWP-11515-2020

Date of decision: - 23.11.2020

Kala Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Maninder Singh Bajwa, Advocate
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance, which is being raised in the present writ petition is, that the petitioner, who is an elected Sarpanch, is not being allowed to function and perform the duties of the said post in gram panchayat. Further, it has been averred in the writ petition that the amount, which has been received, in pursuance to the open auction of the panchayat land, has not been deposited in the account of the gram panchayat so far by the authority, which conducted the said auction and the said amount has been misappropriated.

Learned counsel for the petitioner submits that though, the petitioner has already made a complaint/representation dated 15.07.2020

(Annexure P-3) to the concerned authorities, but no action is being taken on the said allegations.

Learned State counsel submits that the petitioner though is a Sarpanch, but does not have the majority to support him as out of six panches, only two support him and four are against him, due to which, the development works of the gram panchayat were not being undertaken by the gram panchayat as no resolution has been passed by the gram panchayat for executing development work, hence, an Administrator was appointed by the District Development & Panchayat Officer on 08.05.2020 (Annexure R-5/6) for executing development work so as to mitigate the hardships faced by the residents of the village. Learned State counsel further submits that the petitioner has not raised any grievance qua the said order (Annexure R-5/6) dated 08.05.2020 and in pursuance to the said order the required development works have already been executed.

Learned State counsel submits that with regard to the complaint/representation dated 15.07.2020 (Annexure P-3), which the petitioner has submitted to the Deputy Commissioner, Tarn Taran-respondent No.3 regarding embezzlement of funds, will be decided by passing an appropriate speaking order within a period of three months after giving hearing to both the parties.

Learned counsel for the petitioner submits that the petitioner will be satisfied in case his representation dated 15.07.2020 (Annexure P-3) submitted to the Deputy Commissioner, Tara Taran-respondent No.3 is decided within a period of three months, as undertaken by the learned

State counsel.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief, which has been claimed by him in the representation dated 15.07.2020 (Annexure P-3), the present writ petition is disposed of with a direction to respondent No.3 to decide the representation dated 15.07.2020 (Annexure P-3) within a period of three months from the receipt of copy of this order.

Present writ petition stands disposed of.

November 23, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No