

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

CWP No.11665 of 2020.

Decided on:- August 11, 2020.

Balwinder Kaur.

.....Petitioner.

Versus

The State of Punjab and others

.....Respondents.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Surinder Sharma, Advocate for the petitioner.

Ms. Anju Sharma Kaushik, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this civil writ petition under Article 226/227 of the Constitution of India for issuance of an appropriate writ order or direction especially in the nature of mandamus so as to direct the respondents No.1 to 4 to take action against respondents No.6 to 9 under Section 20 (1) (e) of the Punjab Panchayati Raj Act, 1994.

Learned counsel for the petitioner submits that the petitioner is an elected Sarpanch of Gram Panchayat village Umarwal, Tehsil Nakodar, District Jalandhar. However, respondents No.6 to 9, who are elected members of the said Gram Panchayat are not allowing the petitioner to carry out the development work despite the fact that the petitioner has the majority. The sole object of respondents No.6 to 9 is to get the office of Sarpanch held by the petitioner replaced with the appointment of some other person including administrator.

He has further submitted that for the relief claimed in the present petition, the petitioner has also made a representation dated 15.07.2020 (Annexure P-3) to the various authorities and at this stage, the petitioner would be satisfied in case a direction is issued to respondent No.2 i.e. the Director, Rural Development and Panchayat, Punjab to decide the said representation.

Notice of motion to respondents No.1 to 3 only at this stage.

On asking of this Court, Ms. Anju Sharma Kaushik, Deputy Advocate General, Punjab accepts notice on behalf of these respondents.

Heard.

Lest it may prejudice the interest of either party, the present petition is disposed of with a direction to the respondent No.2 to take note of the representation (Annexure P-3) and to decide the same in accordance with law within three months from today.

August 11, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No