

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 13028 of 2020 (O&M)

Date of decision : 28.8.2020

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Jagdeep Singh

.....Petitioner

vs.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. N.P.S. Mann, Advocate
for the petitioner.

Ms. Anju Arora, Additional Advocate General, Punjab.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

By way of filing the present civil writ petition, under Articles 226/227 of the Constitution of India, petitioner – Jagdeep Singh, aged 50 years, resident of village Paharpur, Block Patiala, Tehsil and District Patiala, craves for issuance of writ in the nature of mandamus directing the respondents i.e. State of Punjab through its Secretary, Rural Development and Panchayats Department, Punjab, SAS Nagar, Mohali; Director, Rural Development and Panchayats

Department, Punjab, SAS Nagar, Mohali; Deputy Commissioner, Patiala; Additional Deputy Commissioner (Development), Patiala; District Development and Panchayat Officer, Patiala, District Patiala; Block Development and Panchayat Officer, Patiala, District Patiala and Gram Panchayat of Village Paharpur, Block Patiala, Tehsil and District Patiala through its Sarpanch, to conduct a detailed enquiry into the matter regarding allotment of 5 Marla plots to the persons who are otherwise non-deserving and ineligible by Gram Panchayat of Village Paharpur, District Patiala – respondent No.7 and that resolution has been wrongly passed against instructions, therefore is liable to be cancelled as per provisions of Punjab Panchayati Raj Act, 1994.

According to the petitioner, he had submitted a complainant dated 26.6.2018 to respondents No. 1, 2 and 3 for holding of enquiry and cancellation of allotments by them, but no action was taken, as such he has filed the present writ petition.

Notice of motion.

Ms. Anju Arora, Additional Advocate General, Punjab, has appeared on behalf of respondent- State and accepted notice. She has submitted that respondents are ready and willing to look into the grievances of the petitioner on administrative side.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied if a direction is issued to the official respondents to consider his grievances within a fixed time frame and writ petition be disposed of in those terms.

Keeping in view such request of learned counsel for the petitioner, the response given by learned counsel appearing for the respondents and to avoid unnecessary litigation between the parties, the present writ petition is disposed of directing official respondents No. 1 to 6, to look into the grievances of the petitioner as contained in written representations Annexures P-2 to P-4 and further detailed in writ petition alongwith other Annexures and such writ petition alongwith Annexures be also treated as representation by them and if some action is required to be taken in the matter, then the needful be done within a period of two months from the date of receipt of certified copy of this order.

It is clarified that this order is being passed without touching merits of the case and in case as a result of decision taken by respondents No. 1 to 6 on the representation, the petitioner still feels dissatisfied, then he may take recourse to the legal remedy, in accordance with law.

28.8.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No