

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

**CRM-M-28570-2020 (O&M)
Date of decision: 22.09.2020**

Baljinder Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Rupinder K. Thind, Advocate,
for the petitioners.

Mr. Amit Mehta, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Section 482 Cr.P.C. for seeking direction to conduct the proper investigation by official respondents No.3 and 4 against the Sarpanch of the Panchayat i.e. Jagjeet Singh-respondent No.5.

Learned counsel for the petitioners states that petitioner No.1-Baljinder Kaur is a Member Panchayat and petitioner No.2-Davinder Singh is her husband. Respondent No.5-Jagjeet Singh, Sarpanch of the village has passed a resolution dated 01.06.2020 with the majority of the Panchayati Members but the signatures of one of the Panchayat Member namely Virsa Singh has been forged on the said resolution. As the Coram was not complete and Virsa Singh was not in India at that time, the resolution dated 01.06.2020 is forged and fabricated document which is liable to be set aside. The petitioner has moved an application to DDPO, District Tarn Taran and

another application to the BDPO, Gandiwind, dated 18.08.2020, but till date no action has been taken on the representation made by the petitioners.

Notice of motion.

On the asking of this Court, Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the respondents-State and has pointed out that the Director, Rural Development and Panchayat is empower to cancel the resolution under Section 199 of the Punjab Panchayati Raj Act, 1994.

Keeping in view the above facts, if the petitioners move an application before the Director, Rural Development and Panchayat, Punjab within a period of 15 days from today, the said application will be looked into and shall be decided within one month from the date of receipt of the application, in accordance with law.

The present petition is disposed of accordingly.

(HARNARESH SINGH GILL)
JUDGE

22.09.2020

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Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No