

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CWP-15577-2020

Date of decision: 28.09.2020

Gurwinder Singh Sarpanch

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Rahul Verma, Advocate for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Gurwinder Singh Sarpanch, stated to be aged 43 years, has filed the present petition *inter alia* with a prayer for issuance of writ directing the official respondent No.4 to act according to the law to implement the resolutions dated 11.09.2020 (Annexure P-9) as per provisions of Section 24 of the Punjab Panchayati Raj Act 1994 with a further prayer to allow the petitioner to exercise his right for casting vote and directing respondent No.4 to decide the representation dated 11.09.2020 (Annexure P-10).

Notice of motion.

On asking of the Court, Ms. Monica Chhibber Sharma, Sr. DAG, Punjab, accepts notice on behalf of the respondents.

Learned counsel for the petitioner submits that the election of the Gram Panchayat, Kokalpur, Block Qadian, District Gurdaspur, was held on

30.12.2018 and there are total six members of Gram Panchayat (including Sarpanch/petitioner). Counsel then submits that grievance of the petitioner is that instead of allowing the petitioner to exercise his rights of casting votes (under sub Section 3 of Section 24 of the Punjab Panchayati Raj Act 1994), a meeting was called by respondent No.4. The said meeting was held on 11.09.2020 in presence of all the members, but, allegedly the other members did not cooperate. He submits that once again on 11.09.2020, request was made by submitting a written representation to the BDPO Sahib, Block Qadian, District Gurdaspur, to allow the petitioner to perform his duty of casting the vote, but, no decision has been taken till date.

While refraining from making any expression as regards the veracity of the averments made in the petition, the petition is **disposed of** with a direction that in case, the petitioner submits any representation before the Competent Authority, the same shall be got examined by the Competent Authority within one month from the date of receipt of certified copy of this order, in accordance with law and necessary steps as may be warranted under the facts and circumstances of the case, be taken thereupon forthwith.

A copy of this order be sent to the Competent Authority by the Registry through e-mail or any other mode, so as to enable the said authority to do the needful expeditiously.

Civil Writ Petition is disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

28.09.2020

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No