

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No. 17698 of 2020

Date of Decision: 27th October, 2020

Manoj Sharma and others

....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. M.K. Mittal, Advocate for the Petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. Mr. M.K. Mittal, learned Counsel for the Petitioners insists on the present petition being considered on its merits, despite the fact that against the Resolution dated 28th October, 2016 passed by Gram Panchayat, Kakrouni, Tehsil Bilaspur, District Yamunanagar, there is a statutory remedy of an appeal to the Director, provided under Section 28 of Haryana Panchayati Raj Act, 1994.
2. Mr. M.K. Mittal submits that the impugned Resolution passed by the Gram Panchayat is entirely without jurisdiction and that it is therefore not open to the Petitioners to invoke the remedy of appeal.
3. The Court is unable to agree with this submission. It is open to the Petitioners to urge all the grounds available to them for assailing the impugned Resolution and this would include the ground that the Resolution is entirely without jurisdiction.

4. Nevertheless, the Petitioners will have to satisfy the Appellate Authority about the delay in approaching it for relief, considering that the impugned Resolution was passed on 28th October, 2016.
5. Leaving it open to the Petitioners to urge before the Appellant Authority all grounds available to them in accordance with law, this petition is disposed of.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

27th October, 2020
Sachin M.

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No