

CWP-17360-2020

Date of decision: 16.10.2020

Sonia

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ranjinder Singh Sidhu, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice of motion to official respondents.

Mr. P.S. Khurana, Advocate puts in appearance and accepts notice on behalf of the respondent/caveator.

Petitioner-Sonia has come in this civil writ petition under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of *certiorari* for quashing of order dated 08.10.2020 (Annexure P-3), whereby, SEPO had been appointed as Administrator by respondent No.3-District Development and Panchayat Officer, Fazilka against the elected post of Sarpanch violating the provisions of Punjab Panchayati Raj Act. Petitioner

claims that she is Sarpanch of the Gram Panchayat, Danger Kherra, Tehsil and District Fazilka. It is during the course of events, the petitioner came to know that vide order dated 08.10.2020 (Annexure P-3) respondent No.5-Village Development Officer (VDO) SEPO Charge Block Khunian Sarvar, Abohar, Tehsil and District Abohar has been appointed as Administrator to run the affairs of the Panchayat and its funds in terms of Section 200 of the Punjab Panchayati Raj Act, 1994 (hereinafter to be referred as 'the Act') and which has sought to be challenged in this petition.

It is fairly conceded by learned counsel for the petitioner that till date, he did not file any representation to the State Government to challenge the order dated 08.10.2020 (Annexure P-3) where in terms of Section 201 of the Act power vests with the State Government to call for and examine record of proceedings including such an order.

In light of the same, directly filing of writ petition is inappropriate. Petitioner ought to have first filed her representation before the State Government in terms of Section 201 of the Act, and thereafter, come up before this Court in case of any eventuality. By not doing so, has failed to exhaust the departmental remedies as led in the Act and is against judicial tenets.

The petition stands dismissed accordingly.

(FATEH DEEP SINGH)
JUDGE

16.10.2020

Neha

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