

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18506-2020(O&M)
Date of Decision: 04.11.2020

Rajneesh Kumar and others

..... Petitioners

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Mohit Garg, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners seek a writ of Certiorari for quashing an order dated 14.10.2020 (Annexure P-6) whereby the Director Development and Panchayat Department, Haryana has accepted the resignations of the petitioners and who otherwise were holding the posts of Panch Members of Gram Panchayat Umri.

During the course of hearing counsel concedes that the resignations had been submitted by the petitioners of their own accord and not under any threat, undue influence and coercion. Further more it is admitted that the resignations were unconditional.

In view of the above no infirmity is found in the action of the 2nd respondent in having accepted the resignations of the petitioners as per provisions of the Haryana Panchayati Raj Rules, 1994.

At this stage counsel would submit that he would be giving up his challenge as regards order dated 14.10.2020 (Annexure P-6) regarding acceptance of the resignations of the petitioners. He submits that the resignations have been submitted only to bring to notice of the authorities concerned that the Sarpanch and the Panchayat Secretary are attempting to divert the use of 9 acres of *Shamlat* land for purposes which are not permissible. Even if that be the case and if *Shamlat* land use is diverted for purposes not permissible in law, it would be open for any resident of the village in question to take out appropriate proceedings in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.11. 2020
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No