

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

CWP-5562-2018

Date of decision: 12.3.2020

Charanjit Singh Sarpanch

.....Petitioner.

vs.

State of Punjab and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Ramandeep, Advocate for the petitioner.

Ms. Gunkirat Kaur, Assistant Advocate General, Punjab.

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Sanjay Kumar, J. (ORAL)

Prayer of the petitioner in this case is to quash the letter dated 17.1.2018 (Annexure P-8) addressed to him by the Block Development Panchayat Officer, Patiala, whereby he was directed to submit the entire Panchayat record. The claim of the petitioner was that an inquiry had already been conducted on the complaint made by the unofficial respondent herein and therefore, no cause was made out to re-inquire into the matter.

While ordering notice of motion on 8.3.2018, this Court took note of the aforesaid aspect and directed the authorities not to proceed further on the strength of the letter dated 17.1.2018 (Annexure P-8).

In terms of the order dated 9.9.2019 passed in this writ petition, the unofficial respondent was set *ex-parte*, as there was no representation on his behalf, despite service of notice.

The Block Development Panchayat Officer, Sanaur, District Patiala, filed his written statement on behalf of the authorities. Therein, he stated that at the time of issuance of the letter dated 17.1.2018 (Annexure P-8), the Executive Engineer of the Panchayat Public Works Division, Patiala, was not aware of the earlier inquiry conducted by the department. Further, he stated that as this Court had already directed the authorities not to proceed on the strength of the said letter dated 17.1.2018, no further action was required to be taken.

In the light of the admissions made in the written statement, it is clear that the authorities had addressed the impugned letter in ignorance of the earlier inquiry already conducted in the matter.

The writ petition is accordingly allowed setting aside the impugned letter dated 17.1.2018 (Annexure P-8).

No order as to costs.

(SANJAY KUMAR)
JUDGE

12.3.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no