

217
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 27614 of 2017
Date of decision: 24.01.2020

Gurmej Singh

.....Petitioner

V/s.

State of Punjab and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Ms. Benti Kaur, Advocate for
Mr. Kawaljyot Singh, Advocate,
for the petitioner.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

Sanjay Kumar, J. (Oral)

The grievance of the petitioner was that the authorities did not initiate action against the former Sarpanch of the Gram Panchyat of Village Sihariwal, Tehsil Nakodar, District Jalandhar, the fifth respondent herein, for recovery of ₹5,64,582/-, pursuant to the letter dated 06.12.2015 (Annexure P-3) of the Director, Rural Development and Panchayat Department, Punjab.

Perusal of the aforestated letter dated 06.12.2015 (Annexure P-3) demonstrates that the Director referred to the report received from the District Development and Panchayat Officer, Jalandhar, which spoke

against the fifth respondent and in consequence, the Director directed the Block Development and Panchayat Officer, Nakodar, District Jalandhar, to take appropriate action under Section 216 of the Punjab Panchayati Raj Act, 1994.

The Block Development and Panchayat Officer, Nakodar, filed a written statement on behalf of respondent Nos. 1 to 4. Therein, he stated that upon the complaint made by the petitioner, the Sub Divisional Officer, Panchayat Raj Public Works (B&R), Sub Division, Nakodar, undertook a physical enquiry and submitted report dated 14.03.2018 holding to the effect that except for certain violations in relation to the design and other instructions, no other allegations were proved against the fifth respondent.

Mr. Avinit Avasthi, learned Assistant Advocate General, Punjab, would now inform this Court that on the strength of the aforestated report, the Director, Rural Development and Panchayats, issued order dated 23.01.2020, whereby he accepted the findings of the Sub Divisional Officer and held that no cause was made out for effecting recovery from the former Sarpanch, the fifth respondent. The order dated 23.01.2020 is placed on record and a copy thereof is also furnished to Ms. Benti Kaur, learned counsel representing Mr. Kawaljyot Singh, learned counsel for the petitioner.

In the light of the aforestated development, the cause in this writ petition, as framed, stands settled against the petitioner.

The writ petition is accordingly dismissed on this short ground leaving it open to the petitioner to take appropriate remedial measures, if he

is aggrieved by the order dated 23.01.2020, before the competent forum in accordance with law.

No order as to costs.

24.01.2020
rakesh

(SANJAY KUMAR)
JUDGE

whether speaking/non speaking : Yes/no
whether reportable/non reportable : Yes/no