

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.21394 of 2020

Date of Decision:15.12.2020

Satish Kumar

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Nitesh Singla, Advocate
for the petitioner.

Mr. Ashish Yadav, Add.AG., Haryana.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for issuance of a direction to respondent no.2 to take action against the Sarpanch of Gram Panchayat, Bhure Ka Majra, as per provision of Section 51 of the Haryana Panchayat Raj Act, 1994 and in view of Report dated 25.09.2020 (Annexure P-4), submitted by the Executive Engineer, Panchayt Raj, Yamuna Nagar to Block Development and Panchayat Officer Saraswati Nagar, to the effect that respondent no.5 i.e., Sarpanch of Gram Panchayat Bhure Ka Majra, committed embezzlement while doing development works of the village.

It is submitted that despite enquiry report dated 25.09.2020, Annexure P-4, no action is being taken by the respondent-authorities against respondent no.5 in terms of Section 51 of the Haryana Panchayat Raj Act, 1994. It is submitted that in response to legal notice dated 09.11.2020, Annexure P5, reply (Annexure P-6), was submitted by respondent no.5, however no action is being taken by the respondent authorities. At this stage

learned counsel for the petitioner restricts his prayer for a decision of legal notice dated 09.11.2020, Annexure P5, by the competent authority, in a time bound manner.

. Notice of motion.

Mr. Ashish Yadav, Addl.AG., Haryana, accepts notice on behalf of the respondents and does not raise any serious objection to the limited prayer addressed.

Keeping in view the facts and circumstances of the case and the limited prayer addressed, but without expressing any opinion on the merits of the case, this writ petition is disposed of with a direction to the competent authority, to decide legal notice dated 21.10.2020 (Annexure P-5) submitted by the petitioner, within two months from the date of receipt of certified copy of this order.

15.12.2020
s.khan

[LISA GILL]
Judge

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