

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

(104)

CWP-21546-2020

Date of Decision : 16.12.2020

Gram Panchayat Jasdev Singh Nagar

...Petitioner

Versus

State of Punjab and Others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasdeep Singh Gill, Advocate for the petitioner.

Ms. Aayush Sarna, Assistant Advocate General, Punjab with
Mr. Dhanwant Singh Randhawa, BDPO.

Harsimran Singh Sethi J. (Oral)

In the present writ petition, the challenge is to the Resolution dated 14.10.2020 (Annexure P-3).

Learned counsel for the petitioner argues that the said Resolution, which has been passed by respondent No. 3, is beyond the jurisdiction of respondent No. 3 and no provisions of the Punjab Panchayati Raj Act, 1994 confer jurisdiction or power upon the BDPO to pass a Resolution on behalf of a particular Gram Panchayat.

Before adjudication, learned State counsel was requested to enquire into the actual position qua passing of the Resolution dated 14.10.2020 (Annexure P-3). Learned counsel appearing on behalf of the State, keeping in view the instructions received from Dhanwant Singh Randhawa, BDPO, states that Resolution dated 14.10.2020 (Annexure P-3)

is only a draft Resolution not to be implemented in any manner and the said Resolution be deemed as withdrawn.

Keeping in view the said statement of the learned State counsel, no grievance of the petitioner-Gram Panchayat qua the Resolution dated 14.10.2020 (Annexure P-3) survives.

Learned counsel appearing on behalf of the petitioner submits that certain grants received from the 15th Finance Commission, have not been released to the Gram Panchayat so far.

Learned State counsel, keeping in view the instructions received from respondent No. 3, states that in case the petitioner-Gram Panchayat has any grievance qua the same, they should file a representation to respondent No. 3 and appropriate decision on the said representation will be taken by the competent authority in accordance with law within a period of 15 days from the receipt of the said representation.

This satisfies learned counsel appearing on behalf of the petitioner.

Keeping in view the above, the present writ petition is rendered infructuous and is disposed of as such.

December 16, 2020

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No