

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-36437-2019

Date of Decision: February 19, 2020

Gram Panchayat Sharih Wala Brar

.... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Ms. Kiranjeet Kaur, Advocate,
for the petitioner.

Ravi Shanker Jha, Chief Justice (Oral)

This petition has been filed by Gram Panchayat, Sharih Wala Brar through its Sarpanch against the constitution/establishment of respondent no.5 - Gram Panchayat, Basti Lal Singh Wali.

From a perusal of the petition, it is evident that respondent no.5 was established by final notification issued on 21.12.2012 under Section 3(1), (2) and (3), Section 4(1) and Section 10(2) of the Punjab Panchayati Raj Act, 1994. There is nothing on record to indicate that at the time when respondent no.5 - Gram Panchayat was proposed to be constituted, any objections were filed by the petitioner. Nothing has been placed on record to establish that any steps were taken by the

petitioner before the authorities since the last 8 years of constituting respondent no.5 to express its grievance.

In such circumstances, we are of the considered opinion that petitioner-Gram Panchayat cannot be permitted to assail the notification constituting respondent no.5, more so, as respondent no.5 has been in existence since the last 8 years and the petitioner never filed any objections at the time of issuance of the preliminary notification proposing to constitute respondent no.5.

In the circumstances, we do not find any reason to entertain the present petition and the same is, accordingly, dismissed.

(Ravi Shanker Jha)
Chief Justice

February 19, 2020
vkd

(Arun Palli)
Judge

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