

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CWP No. 1016 of 2021

Date of Decision : 08.02.2021

Harinderpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Nakul Sharma, Advocate for
Mr. Sukhjinder Singh, Advocate for the petitioner.

Mr. Sunnint Kaur, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner submits that vide impugned order dated 28.10.2020 (Annexure P-6), a notice was given to the petitioner alleging that the Resolutions of the Gram Panchayat are being passed contrary to the provisions of the Punjab Panchayati Raj Act, 1994 (for short 'the Act of 1994'). Learned counsel for the petitioner further submits that by the said notice dated 28.10.2020 (Annexure P-6) the explanation of the Sarpanch was sought on the allegations that Resolutions of the Gram Panchayat are being passed without there being required quorum and a direction was further issued that no payment of the Gram Panchayat will be made.

Learned counsel for the petitioner argues that on the same date

i.e. 28.10.2020, the BDPO Block Doraha (Ludhiana) was informed that the Resolutions being passed by the Gram Panchayat, are inconsonance with the Act of 1994 and Section 23 Sub Clause (3) (iii) of the said Act, was brought to the notice of the BDPO Doraha (Ludhiana) but no action has been taken on the reply rather, the payments, which are to be made by the Gram Panchayat, have been freezed.

Notice of motion.

Ms. Sunnint Kaur, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State. Learned State counsel submits that the incumbent, which had issued the notice dated 28.10.2020 (Annexure P-6), has already been transferred and a new incumbent has joined and appropriate orders on the reply submitted on 28.10.2020 (Annexure P-7) will be passed by the BDPO concerned within a period of seven days from today and further in case, any payment, which is very urgent, is to be made by the Gram Panchayat, the same will also be allowed by the BDPO concerned after examining the facts.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, his grievance as raised in the present petition stands satisfied at this stage and he does not wish to press this writ petition any further.

Ordered accordingly.

It is made clear that the respondents will be bound by the statement recorded above.

February 08, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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