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

CWP No.1785 of 2021
Date of decision: 27.01.2021

Gram Panchayat Jakhauli and others

..... Petitioner (s)

V/s.

State of Haryana and others

..... Respondent (s)

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Chanderhas Yadav, Advocate, for the petitioners.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Sanjay Kumar, J. (Oral)

The grievance of the petitioner-Gram Panchayats is with regard to the letter dated 19.11.2020, whereby the Principal Secretary, Development and Panchayats Department, Government of Haryana, imposed a complete ban on the encashment of Fixed Deposits available with the Gram Panchayats with immediate effect.

Mr. Chanderhas Yadav, learned counsel for the petitioner-Gram Panchayats, would state that the issue stands settled by the decision dated 11.01.2021 passed by this Court in *CWP No.21286 of 2020*, titled

'Gram Panchayat Village Chandrawali and others V/s. State of Haryana and others'.

Perusal of the said decision reflects that this Court was of the opinion that in the event any Gram Panchayat passed a Resolution in relation to a development work that had to be executed urgently and sent the same to the Deputy Commissioner concerned, an appropriate decision could be taken and orders could be passed on the proposal contained in such Resolution within a time frame.

Mr. Rajesh Gaur, learned Additional Advocate General, Haryana, would inform this Court that the existing Gram Panchayats are to be disbanded in the light of the impending elections and that there may be no necessity for encashment of Fixed Deposits at this stage for development works.

However, it is for the authorities concerned to take a call as to the urgency of any particular development work and all such works cannot be stalled by way of a general ban, without reference to the individual urgency of a proposal relating to a particular development work.

The writ petition is accordingly disposed of permitting the petitioner-Gram Panchayats to pass Resolutions, if necessary, in relation to any urgent development works which warrant immediate encashment of Fixed Deposits available with them. In the event any such Resolutions are received by the jurisdictional Deputy Commissioners, a decision shall be taken in each such case as to whether sufficient grounds exist for permitting encashment of the Fixed Deposits and if so, to what extent, to enable completion of such works expeditiously. This exercise shall be completed

by the Deputy Commissioner concerned within seven days from the date of receipt of the Resolutions from the petitioner-Gram Panchayats.

No order as to costs.

27.01.2021

rakesh

(SANJAY KUMAR)
JUDGE

whether speaking

: Yes/no

whether reportable

: Yes/no