

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

CWP-6390-2020 (O&M)

Date of decision: 08.09.2021

Paramjeet Kaur

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.H.S.Sandhu, Advocate for the petitioner
 Ms. Kanica Sachdeva, AAG, Punjab
 Mr. S.S.Salar, Advocate for respondent no. 5 to 7

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner is an elected Sarpanch of the Gram Panchayat, Bhilowal, Block and Tehsil Nabha, District Patiala. Through this writ petition, the petitioner prays for the following substantive reliefs:-

(i) A writ in the nature of Certiorari for quashing the letter dated 05.02.2020 (Annexure P-10) whereby the respondent no.3 has initiated the proceedings for appointment of Administrator may kindly be issued.

(ii) A writ in the nature of Mandamus directing the respondents to take appropriate action against respondent no.5 to 7 as per provisions of Section 20 of Punjab Panchayati Raj Act, 1994 and to suspend them from the post of Panch in view of their non-cooperation in the development works of the Gram Panchayat may kindly be issued.”

Admittedly, an inquiry into the entire matter is pending

before the Chief Executive Officer of the Zila Parishad. Learned counsel representing the respondents has pointed out that on account of stay granted on 06.03.2020, the inquiry could not be completed. She submits that if the aforesaid order is vacated, the competent authority will complete the inquiry within 15 days.

In essence, the petitioner prays that respondent no.3 should be restrained from appointing the Administrator and an action should be taken against respondent no.5 to 7, who are the elected Panches of the Gram Panchayat.

Since the inquiry is pending, therefore, it is not appropriate to issue any writ. Hence, the writ petition is disposed of by directing the Director, Department of Rural Development and Panchayat, Punjab, to take appropriate steps in accordance with the provisions of the Punjab Panchayati Raj Act, 1994, on receipt of the inquiry report.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

08.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE