

129

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.15873 of 2021 (O&M)

Date of decision: 15.07.2021

Surjit Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ranjit Saini, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to the official respondent to take action on the complaint filed by the petitioner against respondents No.5 to 9 for misappropriation of public money and burning of official record.

Counsel for the petitioner has argued that respondent No.5 is the Sarpanch of village Balrajputan, District Karnal and has committed the embezzlement of huge amount and in this regard, a complaint was given to the Chief Minister, Haryana Window Cell on 03.03.2020 but no action has been taken. Thereafter, another application was given to Chief Vigilance Officer, Office of Development and Panchayat Department, Chandigarh and a notice was given to the District Development and Panchayat Officer as well as the Block Development and Panchayat Officer of the area to take action. Thereafter, the statement of the Sarpanch and the petitioner was recorded by the Chief Vigilance Officer and it was recommended to the

CASE HEARD THROUGH VIDEO CONFERENCING

Deputy Commissioner to enquire the complaint given by the petitioner. It is submitted that the Sarpanch did not produce the record and has shown that the same has been burnt in the Alto car, which was also burnt.

Thereafter, another application was given to the Deputy Commissioner, Karnal for taking action which was marked to the Block Development and Panchayat Officer and FIR No.66 dated 05.12.2020 under Sections 201/409/420/435 IPC was registered at Police Station Munak, against respondent No.5 and thereafter, she was suspended by the Deputy Commissioner on 28.12.2020 against which an appeal was filed before the Appellate Authority and the case was remanded back to the Deputy Commissioner, Karnal. The petitioner challenged the aforesaid order of remand dated 28.01.2021 by filing CWP No.3197 of 2021 titled as 'Surjit Singh vs State of Haryana', which was disposed of on 11.02.2021 by issuing a direction to the Deputy Commissioner to decide the case within a period of 01 month.

Counsel for the petitioner has submitted that since number of complaints have been given against respondent No.5, who being a Sarpanch of the village, misused the public money, the appropriate action be taken in this regard.

On the last date of hearing, the petitioner was directed to inform the Court about the action taken by the Deputy Commissioner in compliance of the order dated 11.02.2021 and the petitioner has placed on record the order dated 22.02.2021 passed by the Deputy Commissioner, in which it is stated that a regular enquiry has been initiated against the Sarpanch (respondent No.5) and she is placed

CASE HEARD THROUGH VIDEO CONFERENCING

under suspension.

In view of the above, it is apparent that the competent authorities under the Haryana Panchayati Raj Act are seized of the matter and the enquiry is being conducted and the FIR No.66 dated 05.12.2020 stands registered against respondent No.5/Sarpanch, therefore, at this stage, no further action is called for.

Accordingly, the present petition is disposed of granting liberty to the petitioner to await the final outcome of the enquiry and file afresh petition, if so required.

(ARVIND SINGH SANGWAN)
JUDGE

15.07.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No