

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

**CWP-9813-2021(O&M)**

**Date of decision: 30.06.2021**

**Satnam Singh**

**.....Petitioner**

Versus

**State of Punjab and others**

**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Krishan Singh, Advocate, for the petitioner

Ms. Sunint Kaur, AAG, Punjab

Mr. Munish Jolly, Advocate for the respondent

**ANIL KSHETARPAL, J. (ORAL)**

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

In deference to the order dated 28.06.2021, Ms. Seema Jain, Additional Chief Secretary, Department of Rural Development and Panchayat, Punjab, is present in the Court through video conferencing.

On 28.06.2021, the following order was passed by this Court:-

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

The petitioner was elected as the Sarpanch of Gram Panchayat Mulanpur Garbidas in the year 2019. He was placed under suspension on the ground that inspite of directions, the petitioner has failed to hand over the record on 01.09.2020.

On a court question, learned counsel representing the respondent-State, is unable to give any satisfactory answer as to whether any enquiry is pending against the petitioner or not. The suspension of an elected office bearer is permissible only in accordance with the provisions of the Act. Such order is only interim in measure followed by an enquiry.

Keeping in view the aforesaid facts, the Additional Chief Secretary, Department of Rural Development and Panchayat, is requested to remain present through video conferencing on the next date of hearing and apprise the Court as to whether any enquiry is pending against the petitioner or not?

List on 30.06.2021.”

Through this writ petition, the petitioner assails the correctness of the order passed by the learned Additional Chief Secretary, Department of Rural Development and Panchayat, Punjab, dated 15.03.2021 upholding his suspension from the office of Sarpanch. This Court has been informed that an inquiry into the allegations is being held and the same shall be completed within a period of one month from today.

Keeping in view the aforesaid statement, this Bench does not find any other ground to interfere with the order of suspension. However, the Director, Rural Development and Panchayat, Punjab, who is also present in the Court has been directed to ensure the compliance of the provisions of Section 20 of the Punjab Panchayati Raj Act, 1994, before suspending an elected office bearer of the Panchayat.

Disposed of.

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

30.06.2021

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No