

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-10351-2020

Date of decision: - 12.01.2021

Jagsir Singh

....Petitioner

Versus

Director Rural Development and Panchayats, Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Satinder Kaur, Advocate,  
for the petitioner.

Mr. Pankaj Gupta, Additional Advocate General, Punjab  
for respondents No.1 to 3.

Mr. Vivek Chauhan, Advocate  
for respondents No.4 and 5.

Mr. Buta Singh Bairagi, Advocate  
for respondents No.6 to 11.

( Through Video Conferencing )

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

Petitioner, who is a Sarpanch of village Bhinder Khurd, District Moga, has filed the present writ petition with a prayer that a direction be issued to the official respondents to stop interference in the execution of the development works to be executed in the village as certain development works, which are very urgent including cleaning and

de-silting the ponds/tanks of the Gram Panchayat, are pending to be executed, but could not be executed due to non-cooperation of other Panches as well as executive interference.

Learned counsel appearing on behalf of the petitioner submits that the petitioner, who has the required numbers of Panches upon his side, is not being allowed to execute the development works which are necessary to be executed for the welfare of the residents of the Gram Panchayat and due to non-execution of the same, residents of the village are suffering.

The assertion being made on behalf of the petitioner is being opposed by the respondents. The respondents in their reply have stated that they have not created any hindrance in the execution of any development works and rather, it is the Gram Panchayat, which has not passed any resolution, proposing the execution of any development works.

Learned counsel appearing on behalf of respondents No.6 to 11 submits that they are ready to attend the meeting of the gram panchayat as and when called upon to do so, relating to the execution of the development works and they will support the proposal, if needed to be executed for the welfare of the residents of the gram panchayat.

Keeping in view the above, the deadlock between the parties can be resolved in case a meeting of the gram panchayat is directed to be convened for considering the proposal for the execution of the development works so that the residents of the gram panchayat do not suffer due to the inter-se fight between the elected representatives.

Learned counsel appearing on behalf of the respondents-State submits that he has the instructions from the District Development and Panchayat Officer, Moga that the meeting of the gram panchayat can be called on 01.02.2021 in case the Sarpanch and Panches do not oppose the same. Learned State counsel further submits that the said meeting will be chaired by the Sarpanch and will be supervised by the District Development and Panchayat Officer, Moga.

Learned counsel for the petitioner as well as learned counsel for respondents No.6 to 11 do not oppose the said proposal of holding the meeting of the Gram Panchayat on 01.02.2021 for considering the proposal of the execution of the various development works to take place in village Bhinder Khurd, District Moga.

Keeping in view the agreement between the parties concerned, let the meeting of the gram panchayat take place on 01.02.2021, which will be chaired by the Sarpanch and will be supervised by the District Development and Panchayat Officer Moga. The proceedings of the said meeting will be videographed and the expenses of the same will be borne out of the funds already available with the Gram Panchayat. The proposal/agenda which is to be presented for consideration in the said meeting, will be prepared by the Sarpanch and other Panches in consultation with the District Development and Panchayat Officer, Moga and the proposals, which are raised by the Sarpanch or Panches, as the case may be, in writing will form part of the agenda to be taken up in the said meeting.

Whatever decisions are taken in the said meeting, will be

given effect to in accordance with law after following the procedure as envisaged under the Punjab Panchayati Raj Act, 1994. The direction is given to the District Development and Panchayat Officer, Moga to ensure that the residents of the gram panchayat do not suffer due to the inter-se fight between the elected representatives, as the gram panchayat is constituted for the welfare of the residents and not to stall the development works due to difference of opinion between the elected body.

Learned counsel for the petitioner submits that keeping in view the above, the grievance of the petitioner stands redressed and he does not want to press this writ petition any further and the same may be disposed of as such.

Ordered accordingly.

( HARSIMRAN SINGH SETHI )  
JUDGE

January 12, 2021  
naresh.k

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No