

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 15130 of 2021

Date of Decision: 10.08.2021

Barinder Kumar

... Petitioner(s)

Versus

The State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kuldeep Attri, Advocate
for the petitioner(s).

Ms. Sunint Kaur, Assistant Advocate General,
Punjab, for respondent No. 1 to 4.

Anil Kshetarpal, J.

1. Through this writ petition, the petitioner prays for issuance of a writ in the nature of mandamus, directing the official respondents to initiate the process of removal of the private respondents from the office of Panch of the Gram Panchayat. The petitioner also prays for the issuance of a writ in the nature of certiorari to set aside the notices issued by respondent No.3 under Section 200 of the Punjab Panchayati Raj Act, 1994 dated 22.04.2021 and 22.06.2021. The petitioner, being an elected Sarpanch of the Gram Panchayat, Village Nangran, Tehsil Nangal, District Rupnagar, complains that respondent No. 6 to 10, who are the elected Panches of the Gram Panchayat, do not co-operate and permit the petitioner to carry out the development work.

2. Ms. Sunint Kaur, Assistant Advocate General, Punjab, enters appearance on behalf of respondent No.1 to 4 and submits that pursuant to

the order passed by the Director-cum-Secretary, Department of Rural Development and Panchayat, Punjab, dated 01.02.2021, the Block Development and Panchayat Officer has been directed to hold an inquiry into the conduct of the private respondents.

3. Learned counsel representing the petitioner has admitted that pursuant to the show cause notices dated 22.04.2021 and 22.06.2021, an Administrator of the Gram Panchayat has been appointed.

4. The petitioner has an effective alternative remedy against the order appointing an Administrator. As regards the first relief, the Block Development and Panchayat Officer has already been directed to hold an inquiry.

5. Keeping in view the aforesaid facts, this Bench does not find it appropriate to issue any further writ. Hence, the present petition is dismissed.

(Anil Kshetarpal)
Judge

August 10, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No