

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

CWP-13026-2021(O&M)

Date of decision: 19.07.2021

Altaf and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Imtiyaz Hussain, Advocate, for the petitioners
Mr. Shivendra Swaroop, AAG, Haryana

ANIL KSHETARPAL, J. (ORAL)

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

The petitioners who are the residents of Village Rajaka, Block Nagina, District Nuh, Mewat, prays for a writ in the nature of Mandamus directing the respondents to conduct a regular inquiry in the allegations of corruption and embezzlement. The petitioners have filed this writ petition with the following substantive prayers:-

“(i)Petition under Articles 226/227 of the Constitution of India for issuance of a writ of Mandamus or any other writ, order or directions to respondents to produce all the record regarding Job Cards, Muster Rolls, Application given by them to Sarpanches for work under their signatures and work given report by Sarpanches under his signatures.

(ii) To issue a writ in the nature of mandamus directing the respondent no.2 and respondent no.4 to constituting an independent SIT to conduct the regular enquiry for the embezzlement done by respondent no.14.

(iii) It is further very humbly prayed to issue a writ in the nature of mandamus directing the respondent no.2 and respondent no.4 to immediately stay the operation of MNREGA work to prevent the

further harm because all the works are shown completed in documents only and same process of committing fraud is still going on.

(iv) It is further very humbly prayed that recovery may kindly be effected from the Sarpanches of the amount embezzled by them as accordance of revenue law.

(v) It is further very humbly prayed that during the pendency of the writ petition the respondent no.14 be restrained from exercising any financial power or to withdraw any amount from the state fund to protect from further embezzlement.

(vi) It is further humbly prayed to issue writ of mandamus to respondent no.4 to register the FIR against guilty respondent officials for their offences of making false documents, breach of trust by public servant or bankers, committing forgery with public records and to do advantageous favor to the Sarpanches by Respondent officials for the corruption done with the public fund.”

The petitioners have alleged that the elected Sarpanch of the Gram Panchayat of Village Rajaka and officials of the Department of Rural Development and Panchayat are indulging in corruption and huge amount has been embezzled by making entries to fake persons in the muster rolls.

Sh.Shivendra Swaroop, AAG, Haryana, enters appearance pursuant to the supply of an advance copy of the writ petition and submits that the complaints submitted by the petitioners are sought to be inquired into, however, the petitioners inspite of various notices, do not appear before the authority concerned. He, in support thereof, relies upon the following notices:-

(i) Communication issued by the Block Development and Panchayat Officer on 20.04.2021.

(ii) Communication issued by the Block Development

and Panchayat Officer on 27.05.2021.

Keeping in view the aforesaid facts, the petitioners, if so advised, may co-operate with the officials in order to initiate inquiry into the allegations made by them.

With these observations, the writ petition is disposed of.

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

19.07.2021
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No