

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

ASHOK KUMAR
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CWP-20628-2021

Date of decision: 08.10.2021

YASHVIR SINGH AND ANR

..Petitioners

Versus

STATE OF HARYANA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parveen Singh, Advocate for the petitioners.
Mr. Narinder Singh Behgal, AAG, Haryana.

ANIL KSHETARPAL, J (Oral)

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

Through this writ petition, the petitioners assail the correctness of the order passed by the Deputy Commissioner on 23.02.2021 which reads as under:-

“In pursuance of the complaint of Sh. Yashveer made against Smt. Dipika Saini, Sarpanch Gram Panchayat Garkhera, the Sarpanch was called for personal hearing on 23.02.2021 in which she remained absent. After considering all the documents available on file, I have reached the conclusion that since the tenure of the Gram Panchayat has got over on 23.02.2021 therefore the matter becomes infructuous and is thus ordered to be filed.”

Undoubtedly, the term of Smt. Dipika Saini, as Sarpanch of the Gram Panchayat, Garkhera, has come to an end. Learned counsel for the petitioners claims that since she continued to hold the office of profit, therefore, a proper enquiry must be conducted.

Once the term of Smt. Dipika Saini as Sarpanch has already

come to an end, an enquiry to remove her from the office is not sustainable.

Moreover, learned counsel has failed to draw the attention of the Court to any provision which debars an elected office bearer of the Panchayat from doing a private job. Hence, dismissed.

All the pending miscellaneous application(s), if any, are also disposed of.

08.10.2021
ashok
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE