

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

111

Civil Writ Petition No.18432 of 2021
Date of Decision: September 16th, 2021

Balvir Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

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

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

Mr. D.K. Saldi, Advocate
for respondent No.5.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

This writ petition has been preferred asserting various allegations against Sher Singh, Sarpanch, Gram Panchayat Village Masita, Tehsil Sultanpur Lodhi, District Kapurthala-respondent No.5, which includes non-receipt of the lease money amount as also the excavation of the sand and mining minerals in violation of The Punjab Minor Mineral Concession Rules, 1964. In this regard, the petitioner had been approaching the respondents with various complaints highlighting these aspects, especially regarding illegal excavation of sand etc. Petitioner has also attached photographs to substantiate the contention with regard to the illegal mining of the sand, copies of which have been appended as Annexures P-4 and P-5 with the writ petition. Even the complaint dated 07.08.2019 submitted to the Director, Rural Development and Panchayat Department, Punjab-respondent No.2 has been appended as Annexure P-6, which is said to have been marked to the Divisional Deputy

Director, Rural Development and Panchayat, Jalandhar, for consideration, which ultimately has been marked by the Divisional Deputy Director to the Block Development and Panchayat Officer vide letter dated 16.07.2019 (Annexure P-7) but without any result. Petitioner, in these circumstances, was forced to serve notice dated 14.07.2021 (Annexure P-8) through counsel, which was duly served upon the official respondents but without any response till date.

Counsel for the State informs the Court that the inquiry stands concluded, where nothing has been found against the Sarpanch.

We are unable to accept the said contention of the counsel for the State in the light of the fact that nothing has been placed on record to substantiate the said contention except for a communication.

Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Director, Rural Development and Panchayat Department, Punjab-respondent No.2 to consider and decide the legal notice dated 14.07.2021 (Annexure P-8) within a period of three weeks from today.

In support of the stand of the respondents, the documentary evidence in this regard should also be duly mentioned and conveyed to the petitioner along with the reply/decision.

(AUGUSTINE GEORGE MASIH)
JUDGE

September 16th, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No