

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

CWP-21986-2021 (O&M)
Date of decision: 29.10.2021

Gora Singh and others

...Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.V.S.Chugh, Advocate for the petitioners

Ms. Anju Sharma Kaushik, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

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

The petitioners are residents of Village Jhunir, Tehsil Sardulgarh, District Mansa. The Gram Panchayat is alleged to have constructed and rented 80 shops and given them to near and dear ones of Sarpanch. The petitioners claim that the Gram Panchayat should have allocated certain shops to the persons of economically weaker section of the village.

It is not in dispute that some shops have already been leased out.

Learned counsel representing the petitioners draw the attention of the Court to Section 30 of the Punjab Panchayati Raj Act, 1994, wherein it is provided that the Gram Panchayat should work for the welfare of the weaker sections. Admittedly, there is no provision for reservation of shops for the weaker section for the purpose of lease. In such circumstances, it would not be appropriate for the Court to issue a

writ of Mandamus.

Keeping in view the aforesaid facts, the petitioners, if so advised, may avail an alternative remedy before the departmental officials.

Disposed of.

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

29.10.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE