

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

221

CWP-6925-2021

Date of Order: 18.02.2022

DAVINDER SINGH AND OTHERS

..Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sukhsandesh Singh Chahal, Advocate
for petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Mr. S.S. Grewal, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

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

The petitioner prays for issuance of a writ in the nature of mandamus to direct the respondents for making existing water channel pucca. It has been pointed out that the Gram Panchayat of Village Barkandi, District Shri. Muktsar Sahib, has already passed a Resolution dated 22.01.2019, to this effect. The learned counsel representing the petitioner contends that the aforesaid work has already been approved to be carried out under MGNREGA Scheme by the Block Development and Panchayat Officer.

In response, the State of Punjab has filed reply, wherein, it has been stated as under:-

- “i. That the matter is sub-judice.*
- ii. That the gram panchayat had approved the works under MGNREGA mentioned at Serial No.1 to 28 of the resolution at annexure P-1. The works mentioned that serial No.29, 30 and 31 have been post-scribed by*

MGNREGA secretary Bhupinder Singh and Davinder Singh etc. (who are petitioners in the present writ petition), in connivance with each other and had cheated the gram panchayat.

iii. That the Sarpanch and members had requested the answering respondent orally many times to take action against the MGNREGA secretary, Davinder Singh and Bhupinder Singh etc., but no action has been taken against them. Therefore, enquiry must be conducted against the above-mentioned persons for tampering with the record of gram panchayat after conspiring with each other.”

It is evident that the respondents are alleging that the approval of the work under the MGNREGA Scheme is a result of connivance and the elected representatives have already requested the authorities to take actions against the Secretary of MGNREGA.

Keeping in view the aforesaid facts, this Court is not inclined to issue the writ as prayed for.

The petitioners, if so, advised may avail an alternative remedy.

With these observations, the present petition is disposed of.

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

February 18th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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