

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-21936-2022

Date of Decision: 13.12.2022

Jang Bahadur Singh

....Petitioner

VS

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Vishal Sodhi, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

The petitioner is aggrieved because in a detailed enquiry conducted by the Additional Deputy Commissioner (Rural Development) Ludhiana the then Sarpanch has been exonerated of the allegation of embezzlement.

It was alleged by the petitioner-complainant that work of excavation of ponds was done and the excavated soil was sold. The entire sale proceeds were not deposited in the panchayat fund.

On the basis of preliminary enquiry, respondent No. 5 was suspended. Thereafter a detailed enquiry dated 10.06.2022 (Annexure P-7) was conducted. A perusal of the said enquiry shows that complete measurement was done again in the presence of various panchayat officials and the then Sarpanch (respondent No. 5). The petitioner-complainant was present during the proceedings conducted on 05.02.2022 but chose not to come present on 04.03.2022. The price of soil calculated after measurement matched with the sale proceeds deposited and, accordingly, a finding was returned that the allegations of embezzlement were

Learned counsel for the petitioner has referred to affidavits submitted by some persons that money was not paid to them in support of his argument that evidence on record has not been considered and, thus, the enquiry report deserves to be set aside. However, the submission can not be accepted as the falsehood of the said affidavits/statements is established by the measurements done during the course of enquiry. The fact that measurements were done has not been challenged. Thus, the petitioner does not deserve any relief.

The writ petition has no merit and is dismissed.

13.12.2022
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(SUDHIR MITTAL)
JUDGE

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