

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.W.P.No.26965 of 2021(O&M)

Date of Order: 28.02.2022.

Gram Panchayat Village Jhottiwala, Tehsil & District,
Faridkot.

..Petitioner

Versus

State of Punjab and others

..Respondents

C.W.P.No.527 of 2022(O&M)

Gram Panchayat Village Mishriwala, Tehsil & District,
Faridkot.

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. C.S.Jattana, Advocate
for the petitioner.

Mr. SPS Tinna, Addl.A.G., Punjab.

ANIL KSHETARPAL, J(Oral)

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

With the consent of the learned counsel representing the parties, Civil Writ Petition No.26965 of 2021 and 527 of 2022, are taken on Board, for final disposal.

Two different Gram Panchayats pray for issuance of a writ in the nature of mandamus to direct the respondents to transfer the funds in the account of the Gram Panchayats sanctioned for the development work in the

village.

In CWP No.26965 of 2021, on 11.1.2022, the following order was passed:-

“Learned State counsel on instructions from Mr. Baljit Singh Kainth, DDPO, submits that since the Code of Conduct is in operation, the necessary funds cannot be transferred into the account of the Gram Panchayat. Necessary action will be taken on the cessation of the Code of Conduct. Accordingly, he prays for time to file an appropriate affidavit.

Adjourned to 28.02.2022.”

The District Development and Panchayat Officer, Faridkot, has filed a reply. Paragraph 18 thereof reads as under:-

“18. That in reply to para No.18 of the Civil Writ petition is wrong, incorrect and hence denied. The grants were released for the development work of the village, but the opposition of the panchayat of village SDO Panchayati Raj was not allowed to start the work and due to this reason grant was returned. It is pertinent to mention here now there is code of conduct already applied in Punjab due to election so the funds which were returned cannot be re-allocated again, but after code of conduct the funds of the Zila Parishad and the funds mentioned above under Punjab Nirman Programme can be re-allocated with the permission of the house.”

The learned counsel representing the petitioner submits that Civil Writ Petition No.527 of 2022, is also identical.

Keeping in view the aforesaid facts, the writ petitions are disposed of with a request to the authorities to reconsider the matter after the Code of Conduct issued by the Election Commission of India comes to an end.

Let the decision in this regard be taken within a period of 15 days from the date the Code of Conduct issued by the Election Commission of India comes to an end.

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

February 28th, 2022
nt

(ANIL KSHETARPAL)
JUDGE

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