

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CWP-977-2023

Date of decision : 18.01.2023

Gopal Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

***CORAM: HON'BLE MR.JUSTICE VIKAS BAHL***

Present: Mr.H.C. Arora, Advocate  
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab  
for respondents no.1 to 4.

**VIKAS BAHL, J.(ORAL)**

This is a civil writ petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondents no.2 to 4 to take appropriate action against respondent no.5 and respondents no.7 to 10 under the provisions of Section 20 of the Punjab Panchayati Raj Act, 1994 (in short “the Act”).

Learned counsel for the petitioner has submitted that the petitioner has given detailed legal notice / representation dated 27.11.2022 (Annexure P-5) and 17.12.2022 (Annexure P-9) in which, he has detailed allegations to the effect that Sarpanch Gurmel Kaur has abdicated her powers and duty as Sarpanch to her son namely Jagtar Singh and that Jagtar Singh put his signature on various documents by signing as Gurmel Kaur.

The documents received under the RTI Act signed by the Panches and one

signed by the Sarpanch, which are part of the proceedings book, have also

been annexed with the representations. It is further submitted that as per Section 20 of the Act, the Director has the power inasmuch as after making such enquiry as he deems fit, may proceed to remove any Sarpanch or Panch and also to suspend them. It is stated that the petitioner would be satisfied in case respondent no.2 is directed to look into the representations / legal notice dated 27.11.2022 (Annexure P-5) and 17.12.2022 (Annexure P-9), in accordance with law.

Learned counsel for respondents no.1 to 4 has submitted that respondent no.2 would look into the said legal notices, in accordance with law and would follow the procedure under Section 20 of the Act in case any action is called for against the private respondents.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to look into the representations / legal notice dated 27.11.2022 (Annexure P-5) and 17.12.2022 (Annexure P-9) as expeditiously as possible, preferably within a period of 4 weeks from the date of receipt of certified copy of the order and in case respondent no.2 is of the opinion that action is required to be taken against the private respondents, then the same be done after following due procedure of law and principles of natural justice.

It is made clear that this Court has not given any final opinion on the allegations raised by the petitioner and respondent no.2 would independently consider the said representations, in accordance with law.

**(VIKAS BAHL)**  
**JUDGE**

**January 18, 2023**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No