

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

CWP-3385-2023

Date of Decision: 17.02.2023

Azad Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Ajay Jain, Advocate,
for the petitioner.

Mr. Ankur Mittal, Addl, A.G., Haryana, with
Mr. Saurabh Mago, A.A.G., Haryana.

Mr. Sandeep Yadav, Advocate,
for respondent No. 7.

G.S.SANDHAWALIA, J. (ORAL)

The consideration in the present petition primarily in to the show cause notice dated 10.02.2023, (Annexure P-10) issued under Section 51 of the Haryana Panchayati Raj Act, 1994, wherein the petitioner has been put to notice regarding the caste certificate appended at the time of filing the nomination for the post of Sarpanch. The said show cause notice is based upon an inquiry report forwarded by the Sub-Divisional Officer (Civil), Rewari, vide letter dated 08.02.2023 (Annexure P-8), which has also been challenged in the present petition.

Prima facie we are of the considered opinion that it is only a show cause notice and it is open to the petitioner as such to file his reply and objections to the procedure and the issue of jurisdiction, if any.

In such circumstances, since no order has been passed by the authority, we are of the considered opinion that the writ petition is premature and it is always open to the petitioner to take all his defence before the competent authority.

It is expected that the said authority shall pass a reasoned order while deciding the issue in question.

Accordingly, the writ petition is disposed of with the liberty aforesaid.

(G.S. SANDHAWALIA)
JUDGE

February 17, 2023
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No