

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-17500-2020

Date of decision : 10.05.2023

Mohinder Ram (Sarpanch)

... Petitioner

Versus

Financial Commissioner (Revenue) Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present:- Mr.Vaneet Thakur, Advocate for
Mr. Arun Takhi, Advocate
for the petitioner.

Mr.Karan Puggal, DAG, Punjab
for respondents no.1 to 4.

Mr.V.K. Sandhir, Advocate
for respondent no.5.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent no.3 to take action on the representation dated 20.08.2018 (Annexure P-6) submitted by the petitioner against respondent no.5.

2. Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 20.08.2018 (Annexure P-6) to the Deputy Commissioner-cum-District Collector, Nawanshahar (respondent no.3) and as per the petitioner, the allegations made in the said representation bring the case within the four corners of Rule 16 of the Punjab Land Revenue Rules which deals with the dismissal of headman /

Lambardar. Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case respondent no.3 looks into the representation (Annexure P-6) and if merits is found in the same, then appropriate action be taken against respondent no.5 in accordance with law.

3. Learned counsel for respondent no.5 has submitted that there is a proper explanation to show that no wrong doing has been done by him and has submitted that the direction given to respondent no.3 should not be construed as a direction to take action against respondent no.5.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.3 to look into the representation dated 20.08.2018 (Annexure P-6) as expeditiously as possible and after considering the same, if respondent no.3 is of the opinion that some action is required to be taken against respondent no.5, then the same be done in accordance with law after giving due opportunity of hearing to respondent no.5.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.3 would consider the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 10, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No