

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

CWP-9421-2023

Date of Decision: May 10, 2023

KHURSHID AHMED

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Rajeev Anand, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. AG, Haryana and
Mr. Saurabh Mago, DAG, Haryana.

Mr. Mohd. Arshad, Advocate
for respondent No.4

LISA GILL, J.

1. Grievance raised by the petitioner, who is an elected member of Zila Parishad from Ward No. 17, Block Ferozpur, District Nuh is that parallel inquiries were being conducted by the Deputy Commissioner as well as Director, Department of Panchayats and Development on the complaint submitted by respondent No. 4.

2. Learned counsel for the State was asked to seek instructions in this regard on 02.05.2023.

3. Learned counsel for the State while referring to communication dated 05.05.2023 from the Director, Development and Panchayats

Department, Haryana to learned Advocate General, Haryana submits that

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power to take action against members of Gram Panchayats and Panchayat Samitis has been delegated to Deputy Commissioners vide order dated 10.11.1997, however, power to take action against Members of Zila Parishad has not been delegated and it is the Director, Panchayats who is the competent authority to take final decision in this matter. It is stated that the matter is only being inquired into through Deputy Commissioner, who would send verification/fact finding report and final decision would be taken by the Director only after affording an opportunity of hearing to both the parties.

4. In this view of the matter, learned counsel for the petitioner does not press this petition while seeking liberty to avail remedy/remedies as may be available to him, in case of any decision adverse to him including the plea regarding competence of the Director to pass an order.

5. Accordingly, present petition is dismissed as withdrawn with liberty as aforementioned.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

May 10, 2023
rts

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No