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

CWP-10315-2023

Date of decision: 17.05.2023

Gram Panchayat and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. S.S. Grewal, Advocate for the petitioners.

Mr. Ferry Sofat, Addl. A.G. Punjab, for respondent Nos.1 to 6.

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 certiorari for quashing the order dated 29.03.2022 (Annexure P-10) passed by respondent No.5. Further prayer has been made for issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to transfer the inquiries pending against petitioner No.2 to one authority.

2. On 12.05.2023, this Court had passed the following order:-

*“Learned State Counsel prays for an adjournment to get instructions on both aspects i.e. as to whether the letter dated 29.03.2022 (Annexure P-10) has been withdrawn or not and also on the aspect as to how many inquiries are pending against the petitioners and in case, the said inquiries can be clubbed into one so that there are no multiple inquiries and contradictory findings.
Adjourned to 17.05.2023.”*

3. Learned State Counsel, on instructions from Ms. Rajinder Kaur,

BDPO, Ludhiana-I, has submitted that the order dated 29.03.2022 has been withdrawn and as far as inquiries are concerned, same are pending before the Executive Engineer, Malerkotla, Zila Parishad and also before the Director. It is further submitted that the inquiry before the Director is on a larger aspect than those before the Executive Engineer and Zila Parishad.

4. On a specific query put by this Court to the learned State Counsel that as to whether it would be possible for the Director to carry out the inquiry on all the aspects with the assistance of Executive Engineer and Zila Parishad in order to avoid contradictory findings, learned State Counsel has submitted that Director, in the said circumstances, would conduct inquiry on all the aspects, in case need be, with the assistance of the concerned Departments including the office of Executive Engineer and Office of Zila Parishad.

5. Learned counsel for the petitioners has submitted that the abovesaid statement made by learned State Counsel satisfies the claim of the petitioners and thus, present Civil Writ petition has been rendered infructuous and same may kindly be disposed of as such. It is however prayed that the State be bound by the abovesaid statement.

6. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of as having been rendered infructuous.

7. The State would be bound by the abovesaid statement.

17.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**