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

CWP-11053-2023

Date of decision: 22.05.2023

Krishan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikram Singh, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent Nos.1 to 7.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 10.02.2023 (Annexure P-1) issued by respondent No.3 vide which the development work of Gram Panchayat, Gangoli along with other Gram Panchayats has been stopped. Further prayer has been made for directing respondent No.3 to decide and take immediate action on the application dated 10.05.2023 (Annexure P-4).

2. Learned counsel for the petitioner has submitted that for the grievances raised in the present writ petition, the petitioner had given a representation dated 10.05.2023 (Annexure P-4) to respondent No.3-Deputy Commissioner, Jind, in which, it has been stated that there is no provision

under the Haryana Panchayati Raj Act or any Rules that the elected representative can be stopped from performing his duties as Sarpanch. It is further submitted that the petitioner would be satisfied at this stage, in case, respondent No.3 is directed to decide the representation dated 10.05.2023 (Annexure P-4) in a time bound manner and in case, respondent No.3 finds the plea of the petitioner to be meritorious and after considering all the aspects, accepts the plea then, necessary relief be granted to the petitioner as expeditiously as possible.

3. Learned State Counsel who is appearing on behalf of respondent Nos.1 to 7 has submitted that respondent No.3 would consider the representation dated 10.05.2023 (Annexure P-4) within a period of two weeks from the date of receipt of certified copy of the present order and in case, respondent No.3 finds the plea of the petitioner to be meritorious, then appropriate action, in accordance with law, would be taken as expeditiously as possible and if in case, respondent No.3 finds the plea of the petitioner to be not meritorious, then, respondent No.3 would reject the same within a period of two weeks thereafter, in accordance with law.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to respondent No.3 to consider the representation dated 10.05.2023 (Annexure P-4) within a period of two weeks from the date of receipt of certified copy of the present order and after considering the same, in case, respondent No.3 is of the opinion that the pleas of the petitioner are meritorious, then necessary relief, in accordance with law, be granted to the petitioner, as expeditiously as possible.

5. In case, respondent No.3 is of the opinion that the pleas raised by the petitioner do not justify the prayer of the petitioner then respondent No.3 would pass a speaking order rejecting the claim of the petitioner within a period of two weeks from the date of receiving the certified copy of the present order, in accordance with law.

22.05.2023
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No