

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(114)

2023:PHHC:0828290
CWP-13227-2023
Date of Decision: 03.07.2023

Yasar Arafat

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Farukh Abdullah, Advocate for the petitioner.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Articles 226/227 of Constitution of India for issuance of appropriate writ/direction in the nature of Mandamus to direct the official respondents to initiate an enquiry under Section 51 of Haryana Panchayati Raj Act against the private respondents for absent from the meetings of Gram Panchayat and for non-cooperating in the development works of village.

Learned counsel for the petitioner submits that petitioner is the present Sarpanch of the village. He submits that private respondents remained absent from the meetings of the Gram Panchayat only in order to restrain the Panchayat from carrying out its legal duties. It is submitted that petitioner has already submitted a letter dated 29.3.2023, however, no action has been taken on the same by the respondent authorities.

Notice of motion to respondents no.1 to 5 only, at this stage.

On the asking of the court, Mr. Rajneesh Chadwal, AAG, Haryana accepts notice on behalf of respondents no.1 to 5.

Learned State counsel submits that petitioner has submitted a frivolous letter as the same is not in accordance with the provisions of Section 51 of Haryana Panchayati Raj Act.

Counsel for the petitioner submits that he may be granted liberty to file an appropriate representation in accordance with law.

In view of the above position, present petition is disposed of with liberty to the petitioner to file an appropriate representation before the competent authority in accordance with provisions of Section 51 of Haryana Panchayati Raj Act, within a period of one month from today. In the eventuality of any such representation being filed, the competent authority is directed to decide the same expeditiously in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

03.07.2023

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No