

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.13140 of 2018
Date of decision : 04.12.2023

Gram Panchayat, Village Bal Jattan, Panipat

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for directing the respondents to release the amount of interest upto Rs.5.00 Lakhs for utilization, development and upkeep of the basic amenities in the village, in consonance to Memo No.GA-2011/41387-408 dated 10.08.2011. Further prayer has been made for directing the respondents to permit the petitioner-Gram Panchayat to withdraw the above-said interest amount for the above-said purpose.

On issuance of notice of motion, the State has filed the reply.

Learned counsel for the petitioner has submitted before this Court that this petition was filed to the Sarpanch when the earlier Panchayat was in place. However, now there is a new Gram Panchayat in

its place. He submits that even if the Gram Panchayat is changed, the right for the release of funds for the development of the village still survives.

Learned counsel for the State has submitted that when the present petition was filed, the instructions of the State dated 10.08.2011 was in the place, however, as on date, the respondent-State has issued the new policy dated 19.01.2023. He submits that according to which, all the earlier instructions have been superseded by the present policy. He submits that now the Panchayats are entitled for the funds in accordance with the present policy. He submits that the requisite funds would be released to the Panchayats in the State as per the existing policy.

In view of the above said position, the present petition is disposed of with direction to the State to ensure the compliance of the policy dated 19.01.2023 for making necessary funds available to the Gram Panchayats. Thus, the petitioner-Gram Panchayat would be at liberty to pursue its remedies in accordance with law in case any further cause of action accrues.

(RAJESH BHARDWAJ)
JUDGE

04.12.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No