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

CWP-14884-2023

Date of Decision: July 17, 2023

Harman

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Arn timer Sood, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court under Articles 226/227 of the Constitution of India impugning the Notice dated 26.05.2023, Annexure P-3, vide which respondent No.3 has initiated proceedings against the petitioner under Section 20 of the Punjab Panchayati Raj Act, 1994 (for brevity, 'the 1994 Act'). It is further prayed to issue direction to respondent No.3 to decide the representation moved by the petitioner dated 31.05.2023, Annexure P-4.

It is been contended by counsel for the petitioner that as per provisions of Section 20 of the 1994 Act it is the Director only who could have initiated proceedings against the petitioner, who is a sitting Sarpanch. He submits that in pursuance to the impugned notice, the petitioner is duly appearing before respondent No.3. He submits that the notice issued by respondent No.3 under Section 20 of the 1994 Act is beyond jurisdiction as the same could have been initiated only by the Director. He submits that for redressal of her grievances, petitioner has already filed a representation

dated 31.05.2023, Annexure P-4, before respondent No.3 but the same has not been decided so far.

Notice of motion.

On asking of the Court, Ms.Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

After hearing counsel for the parties, the present petition is disposed of with a direction to respondent No.3, i.e. District Development and Panchayat Officer, Hoshiarpur, to decide the representation, dated 31.05.2023, Annexure P-4, expeditiously in accordance with law preferably within two months from today.

July 17, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |