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

CWP-18064-2018

Date of decision : 20.02.2023

Narinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab
for respondent Nos.1 to 4.

Mr. Parminder Singh, Advocate for
Mr. Vivek Chauhan, Advocate for respondent No.5.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of mandamus directing respondent Nos.1 to 4 to take action under Section 216 of the Punjab Panchayati Raj Act on the complaint of the petitioner dated 25.04.2018 (Annexure P-6) for causing loss to the Panchayat.

On 28.08.2018, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioner submitted that the panchayat funds have been allegedly spent for private use. Complainant was made under Section 216 of the Panchayat Raj Act but no action has been taken so far.

Notice of motion for 20.09.2018.

Sd/- (RAKESH KUMAR JAIN)

August 28, 2018

JUDGE”

On 16.02.2023, this Court had passed the following order:-

“Learned State counsel is directed to get instructions in the matter as to whether the proceedings under Section 216 of the Punjab Panchayati Raj Act, has been initiated in the present case or not.

Adjourned to 20.02.2023.

To be taken up at 1.45 PM”

Learned State Counsel, on instructions from Mrs. Rupinderjit Kaur, BDPO, Ludhiana-2 and Mr. Harpal Singh, Panchayat Officer, Ludhiana-2, has submitted that initially, the file of the present case had been misplaced and now, the file has been traced and thus, appropriate action, in accordance with law, after giving due opportunity of hearing to the Sarpanch, would be taken within a period of two months from today. It is further submitted that in view of the same, the present Civil Writ Petition has been rendered infructuous.

Learned counsel for the petitioner has submitted that in view of statement made by learned State Counsel, the petitioner is satisfied and thus, the present Civil Writ Petition may kindly be disposed of as having been rendered infructuous and has further prayed that the State would be bound by the statement.

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

The State would be bound by the statement made before this Court.

20.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No