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

CWP-15363-2023

Date of Decision: July 20, 2023

Hardev Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Vipin Mahajan, Advocate
for the petitioners.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction directing the respondent/authorities to allow the Gram Panchayat Ghot Pokhar, District Gurdaspur, to perform its statutory duty as envisaged under Panjab Panchayati Raj Act, 1994 and not to create undue hindrance and obstruction in development activities carried out by the Gram Panchayat, on purely political considerations by taking a final and a conscious decision on legal notice dated 27.03.2023, Annexure P-6, served by the petitioners. It is further prayed to issue directions to respondents no.3 to 5 to release funds which are lying in the account of Gram Panchayat Ghot Pokhar for the work done by the Gram Panchayat and for future development activities to be carried out by the Gram Panchayat in accordance with the provisions of Punjab Panchayati Raj Act, 1994.

It has been contended by counsel for the petitioners that

petitioners are the elected Sarpanch and Panches. He has submitted that

despite having been elected by due process, the respondent/authorities are not allowing the elected Panchayat to function in accordance with law. He has submitted that time and again the resolutions are passed but the same cannot be implemented due to adamant behavior of the respondents/State. He has submitted that the Panchayat has approached the authorities with a prayer to allow them to function but the same yielded no result. He has submitted that a legal notice, dated 27.03.2023, Annexure P-6, has also been issued by the petitioners to the respondents but till date, no decision has been taken on the same.

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 and going through the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2, i.e. Director, Rural Development and Panchayat, Punjab, SAS Nagar, Mohali, to decide the legal notice, dated 27.03.2023, Annexure P-6, in accordance with law within fifteen days from the date of receipt of a certified copy of this order.

July 20, 2023
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(RAJESH BHARDWAJ)
JUDGE

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