

223

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

2023:PHHC:136778

CWP-25674-2017 (O&M)

Date of Decision: 19.10.2023

Shish Pal

..... Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Vivek Aggarwal, Advocate, for the petitioner.

Mr. Rajneesh Chadwal, Assistant Advocate General, Haryana.

Mr. Vikram Singh, Advocate, for respondents No.7 and 8.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to respondents No.1 to 6 to consider and decide the representation moved against respondents No.7 and 8 to remove Mrs. Kusum from the post of Sarpanch i.e. respondent No.8 and also to take appropriate action against respondent No.8 for her gross misconduct and for causing loss to the property of Gram Panchayat Gamri Jattan (Bachgava), Blcok Thanesar, as per provisions of Section 51 of the Haryana Panchayati Raj Act, 1994. Further prayer has been made to direct respondents No.1 to 3 for the removal of illegal encroachments allowed by respondent No.8 Sarpanch as her relatives, family members and supporters have encroached upon the Shamlat land of village.

Learned counsel for the petitioner has fairly submitted that new Sarpanch has taken over the charge of the Panchayat and as such his first prayer regarding removal of respondent No.8 from the post of Sarpanch has been rendered redundant. As far as second prayer for removal of encroachment is concerned, the petitioner has already filed representation/complaint dated 29.05.2017 (Annexure P-4) before respondent No.3, however, no action has been taken thereon till date.

Learned State counsel has submitted that written statement has already been filed and as per the same, the necessary action has been taken.

As submitted by State counsel that action has already been initiated but qua some of the encroachers it was under consideration with Gram Panchayat. Thus, the petition is disposed of with a direction to respondent No.4 to decide the representation dated 29.05.2017 (Annexure P-4) filed by the petitioner in accordance with law within four weeks from the date of receipt of certified copy of this order.

19.10.2023

sharmila

(RAJESH BHARDWAJ)**JUDGE**

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No