

236-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8366 of 2018
Date of decision : 17.11.2023

Dalbir Singh (Sarpanch) and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikram Singh, Advocate
for the petitioners.

Mr. Arun William, AAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for quashing the order (Annexure P-5) issued by the State Government on 13.03.2018 whereby the Gram Panchayat Ganeshpur alias Seona has been divided into two Gram Panchayats namely Ganeshpur alias Seona and Kath against the provisions of Section 3 of the Punjab Panchayati Raj Act, 1994 and as well as the instruction dated 26.05.2017 (Annexure P-3) issued by the Punjab Government. Further prayer has been made that the objections dated 20.01.2018 (Annexure P-4) filed by the petitioners before the respondents may kindly be decided as per law within a specific time frame after giving an opportunity of hearing to the petitioners.

The grievance of the petitioners relates to the division of Gram Panchayat Ganeshpur alias Seona into two Gram Panchayats,

namely Ganeshpur alias Seona and Kath, which is stated to be against the provisions of Section 3 of the Punjab Panchayati Raj Act, 1994 as well as the instruction dated 26.05.2017.

Learned counsel for the petitioners has submitted that the matter is squarely covered by the decision of the Division Bench of this Court passed in “*Chhota Ram and another vs. State of Punjab and others*”, CWP No.7765 of 2018, decided in 13.02.2019.

I have heard learned counsel for the parties and perused the material on record.

In view of the above position, the present petition is disposed of in terms of the order passed by the Division Bench of this Court in CWP No.7765 of 2018. The petitioners are allowed to file a comprehensive representation before respondent No.2 i.e. the Director, Rural Development and Panchayat, SAS Nagar, Mohali within a period of 15 days from today. In case, such a representation is filed, respondent No.2 is directed to adjudicate the same within a period of six months. If necessary, the parties be heard before passing the speaking order.

(RAJESH BHARDWAJ)
JUDGE

17.11.2023
rittu

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