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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20564 of 2023
Date of Decision : 15.09.2023

Paramjit Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vinod Bhardwaj, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of mandamus directing respondents No.1 to 5 to take appropriate action against respondent No.6 by removing respondent No.6 from the post of Sarpanch and further appropriate action may also be taken against respondents No.7 to 9 who are shielding respondent No.6 in their official capacity by having hand in gloves with respondent No.6.

It has been contended by learned counsel for the petitioner that respondent No.6 is the sitting sarpanch of the village, who is in illegal possession of the panchayat property. He submits that as per demarcation report dated 14.03.2023, it was revealed that respondent No.6 is in the illegal occupation of the property/land of Panchayat. He submits that however respondent No.6 clandestinely got the second demarcation report to save his skin in which respondent No.10, namely, Rani wife of Paramjit @ Pappi instead of respondent No.6 was shown to be in illegal occupation

of panchayat land. He submits that respondent No.6 is the sitting sarpanch, who is in illegal occupation of the panchayat land, therefore, the action deserves to be initiated against him in accordance with the Punjab Panchayati Raj Act.

Notice of motion to the official respondents only at this stage.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of respondents No.1 to 5-State. She, on instructions from Ashok Kumar, BDPO, Gulha has submitted before this Court that after receiving the demarcation report, the inquiry has already been initiated against respondent No.6 by SDM, Gulha and the same would be concluded expeditiously.

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

After hearing learned counsel for the parties and perusing the record, it is apparent that the inquiry has already been initiated against respondent No.6, which is being conducted by SDM, Gulha.

In view of the submissions made by learned counsel for the State, the present petition stands disposed of with a direction to the State to conclude the inquiry, which is already under progress expeditiously in accordance with law preferably within two months from today.

The petitioner would be at liberty to avail his remedies as available to him in case any such exigency so arises.

15.09.2023

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(RAJESH BHARDWAJ)
JUDGE