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

CWP No.22759 of 2023

Date of Decision: 09.10.2023

Manjit Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rakesh Kumar, Advocate
for the petitioner.

RAJESH BHARDWAJ, J.

Present writ petition has been filed for issuance of a writ in the nature of mandamus directing respondents No.4 to 6 to provide the copy of complaint No.121/22 pending before respondent No.6, and for restraining the Vigilance Bureau, Punjab from inquiring the above said complaint 121/22 presently pending before the office of respondent No.7 and further for quashing the complaint No.121/22 pending before respondent No.6 moved by respondent No.7 in the facts and circumstances of the present case. Further prayer has been made for staying the further proceedings before the process of inquiry qua the above said complaint before the office of respondent No.6

Learned counsel for the petitioner has contended that the petitioner was elected Panch of the village Bishanpur Rayian, Tehsil and District Kapurthala during the tenure i.e. 1998-2003. He submits that

respondent No.9, namely, Girdawar Singh, also remained the Sarpanch of village Bishanpur Rayian and Jaswinder Singh, who is son-in-law of Rattan Singh, is the brother of Girdawar Singh, who was working as a DSP Vigilance Bureau Kapurthala and Rattan Singh is the real brother of Girdawar Singh. He submits that because of rivalry due to the partition case, the petitioner is being harassed by respondent No.9 for taking the personal vengeance. He submits that respondent No.9 had filed a complaint to the Vigilance Bureau, District Kapurthala and hence, the petitioner is being implicated in the Vigilance inquiry. He submits that as per the instructions dated 02.01.1995 issued by the Department of Rural Development and Panchayat, the complaints against Sarpanches and Panchayat Members shall be undertaken only under the aegis of Director, Department of Rural Development and Panchayats. He submits that the Vigilance Bureau be prohibited from inquiring the complaint bearing No.121/22 pending before respondent No.7.

Notice of motion to the official respondents.

On asking of the Court, Mr. Ferry Sofat, Addl. A.G., Punjab appears and accepts notice on behalf of respondents No.1 to 8.

Learned counsel for the State, at the outset, has opposed the submissions made by learned counsel for the petitioner. He submits that the petitioner remained Panch during the tenure from 1998-2003. He submits that similar issues raised by the petitioner in this petition had already been dealt by this Court in **CWP No.4070 of 2023**, which has been dismissed by this Court vide order dated 25.05.2023. He submits that this Court had dismissed the bunch of petitions with liberty to the

petitioners to take all the objections before the Vigilance Bureau or before the trial Court. He submits that the petitioner had assailed the same by way of filing the LPA before the Hon’ble Division Bench of this Court, which was also dismissed.

However, learned counsel for the petitioner submits that LPA was not dismissed but the same was withdrawn.

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 this Court had already dealt with the issues as raised in this petition by learned counsel for the petitioner, which has been dismissed by this Court vide order dated 25.05.2023 with liberty to the petitioners to take their objections before the Vigilance Bureau or before the trial Court and further, LPA has also dismissed.

Hence, this Court finding no merit in this petition, dismissed the same with liberty to the petitioner to raise all her objections before the Vigilance Bureau or before the trial Court, concerned as already held by this Court in the order passed in **CWP No.4070 of 2023** on 25.05.2023.

09.10.2023

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(RAJESH BHARDWAJ)
JUDGE

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