

CWP-27544-2022(O&M)

Date of Decision: January 24, 2023

Shabham and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Sarfaraj Hussain, Advocate for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

LISA GILL, J.

Grievance raised in this writ petition is that respondent no.7, who has been elected as Sarpanch of village Khor, Block Indri, Tehsil and District Nuh, has furnished a forged Matriculation Certificate while filing her nomination papers. As respondent no.7 is disqualified for holding the post of Sarpanch, petitioner, it is stated, submitted representation dated 04.11.2022 in this regard, which is attached as Annexure P-3 with this writ petition, but no action is being taken by the authorities in terms of Section 177 of the Haryana Panchayati Raj Act, 1994 (for short 'the Act').

Ms. Shruti Jain Goyal, DAG, Haryana, to whom an advance copy of the paper book has been supplied, on instructions from Mr. Kapil Singla, State Election and Panchayat Officer, Indri and Punhana, Nuh, informs that an inquiry has been marked by the Deputy Commissioner, Nuh, to be conducted by the S.D.O. (Civil), Nuh and necessary action in terms of

the provisions of Section 177 of the Act shall be taken by the Director expeditiously and definitely within four weeks from today.

In view of the statement made by learned counsel for the State, on instructions from Mr. Kapil Singla, State Election and Panchayat Officer, Indri and Punhana, Nuh, there is no requirement of any further order being passed in this writ petition, at this stage.

Writ petition is accordingly disposed of with a direction to the competent authority to take necessary action in terms of Section 177 of the Act, after affording due opportunity of hearing to all concerned, in accordance with law, within the period as stated before us.

It is clarified that there is no expression of opinion on the merits of the controversy.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

January 24, 2023

rts

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No