

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 33486 of 2018
Date of Decision: 08.2.2023

Nek Ram and others

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Munish Puri, Advocate
for the petitioner .

Ms. Monika Jalota, Sr. DAG, Punjab.

Mr. Mohit Kakkar, Advocate
for respondents No. 6, 7 and 9 to 16.

SURESHWAR THAKUR, J. (ORAL)

1. Since the creation of a panchayat, by the competent authority, is a matter of policy. Therefore, when in respect of matters of policy, the Hon'ble Apex Court has pronounced, that the writ Court may not interfere. Therefore, this Court is constrained to not interfere with the issuance of the impugned annexure, at the instance of the competent authority. Even otherwise, since a perusal of the reply on affidavit, furnished to the petition, by the learned State counsel, discloses, that all the relevant parameters for the creation of a new panchayat from the earlier panchayat, rather did not come to be accomplished. Therefore, this Court is also constrained not to interfere with the impugned annexure.

2. In sequel, this Court finds no merit in the instant petition, and, is constrained to dismiss it.

3. Accordingly, the instant petition is dismissed.
4. The pending application(s), if any, is/are also disposed of.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

February 08, 2023
Gurpreet

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