

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

CWP-25026-2023

Decided on 06.11.2023

Varinder Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Raj Kumar Arya, Advocate, for the petitioner.

RAJESH BHARDWAJ, J.

Prayer in the present petition is for quashing/setting aside enquiry proceeding initiated by respondent No.4 against the petitioner in pursuance to the complaint No.57 of 2023 filed respondent No.6 being illegal, null and void and against the law as the enquiry dated 02.02.2023 (Annexure P-1) qua the same set of allegation alleged against the petitioner has already been conducted by the competent authority on the complaint of respondent No.6 as same was duly accepted/approved by respondent No.2.

Learned counsel for the petitioner has submitted that the petitioner was elected as Sarpanch of Gram Panchayat of village Dorangala after defeating respondent No.6. He has submitted that private respondents No.5 and 6 being opponent to the petitioner filed false and frivolous complaint regarding embezzlement of Panchayat fund against the petitioner and enquiry was conducted thereon. Ultimately, the complaint was found to be baseless and the petitioner was exonerated. He submits that thereafter, respondent No.6 time and again moved false and frivolous complaints against the petitioner in order to harass him. He has submitted that enquiry proceedings are initiated by

respondent No.4 against the petitioner in pursuance to the said complaints by ignoring the result of earlier enquiry, wherein, he was exonerated.

Notice of motion.

Ms. Akshita Chauhan, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State. She has submitted that the alleged enquiry proceedings are correspondence in between two Departments and the petitioner has not been given any notice etc.

Heard.

In view of the fact that the proceedings alleged by the petitioner are intra-departmental and the petitioner has neither been summoned nor any notice has been issued to him, the present petition is pre-mature as there is nothing against the petitioner at this stage. Hence, the present petition being pre-mature is dismissed at this stage.

(RAJESH BHARDWAJ)
JUDGE

06.11.2023
sharmila

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No