

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-645-2020

Date of Decision:28.02.2024

Balbir Singh Pehal

..... Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Nischal Chetanya Manchanda, Advocate for
Mr. Jagdish Manchanda, Advocate, for the petitioner.
Ms. Upasana Dhawan, Assistant Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing the order dated 09.11.2017 (Annexure P-10) passed by respondent No.3 i.e. Deputy Commissioner, Sonapat and quashing the order dated 19.12.2019 (Annexure P-11) passed by respondent No.1 and for issuance of direction to respondent No.3 to take action against respondent No.5-Harinder Singh Sarpanch as he is not having any matriculation certificate to be appointed as Sarpanch in view of the enquiries conducted by the SDM etc. as well as found embezzled the Panchayat fund to the tune of Rs.42,24,348/-. Further to issue direction to respondent No.5 not to deal with the financial matter as he is having disqualification and was not eligible to contest the election for the post of Sarpanch in view of the provisions of Haryana Panchayati Raj Act amended upto date as well as he has embezzled the amount which has been proved in the enquiry conducted by the officials of the Panchayati Raj and. Further to direction has been sought to direct the respondents to initiate proceedings to enquire into the matter in which respondent No.5 has spent the amount on behalf of Panchayat by alleging the development work of the Gram Panchayat during his tenure being Sarpanch.

Learned counsel for the petitioner prays for withdrawal of the

present petition with liberty to the petitioner to avail alternative remedy as available to him under law.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for.

28.02.2024
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No