

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

**CWP-8341-2024**

**Date of decision: 16.04.2024**

**Narinder Kumar**

**.....Petitioner**

**versus**

**State of Punjab and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. Vipin Mahajan, Advocate and  
Ms. Chandanpreet Kaur Ahluwalia, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

Prayer in the present petition is for quashing the letter/order dated 27.03.2024 (Annexure P-11) vide which *de novo* has been started by respondent No.5 against the petitioner whose term as Sarpanch Village Gram Panchayat Ghuman has expired just a month back ignoring the fact that earlier enquiry was conducted by Senior Officer, respondent No.3 and now second enquiry has been entrusted to Junior Officer. Further prayer has been made for directing respondent-authority to take final and a conscious decision on the legal notice dated 29.03.2024 (Annexure P-12) served by the petitioner before proceeding any further for conducting second enquiry.

It has been submitted by counsel for the petitioner that respondent No.6 had earlier approached this Court by way of filing CWP No.27980-2023 which was disposed of vide order dated 13.12.2023. He submits that respondent No.6 while filing the said petition concealed the material facts that the enquiry against the petitioner was already conducted and no truth was found in the allegations levelled against him. He submits that now the petitioner has been again summoned by way of impugned order in the second enquiry.

Notice of motion.

On asking of the Court, Mr. Navneet Singh, Senior DAG, Punjab accepts notice on behalf of the State. Mr. Arun Takhi, Advocate accepts notice on behalf of respondent No.6. He has opposed the submissions made by counsel for the petitioner.

Learned State counsel has submitted that the enquiry has been entrusted to respondent No.5 by Xen Panchayti Raj who has summoned the petitioner for necessary enquiry. He, on instructions, from Mr. Gagandeep Singh, SDO Panchayati Raj, Public Works, Batala submits that the submissions made by counsel for the petitioner and respondent No.6 would be taken into consideration in the enquiry proceedings.

In view of the submissions made above, the present petition is disposed of with the direction to respondent No.5 who is the Enquiry Officer to take into consideration the contentions raised by counsel for the petitioner that the petitioner was exonerated in the first enquiry. Both the petitioner and respondent No.6 would be given a right of hearing during the enquiry. The enquiry would be concluded expeditiously as in accordance with law.

16.04.2024  
*m. sharma*

( RAJESH BHARDWAJ )  
JUDGE

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