



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(243)

CWP NO.8440-2024

DATE OF DECISION: 14.11.2024

Ravinder Kumar

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM HON'BLE MR.JUSTICE VINOD S. BHARDWAJ

Present Ms. Sunaina, Advocate,
for Mr. H.C.Arora, Advocate,
for the petitioner.

Ms.Akshita Chauhan, DAG, Punjab.

Mr. Gagandeep Singh, Advocate,
for respondents no.4 and 6.

Mr. Manbir Singh, Advocate,
for respondent no.5.

Mr. Atinderpal Singh, Advocate,
for respondent no.11.

Ms. Neha Jain, Advocate,
for respondent no.12.

VINOD S.BHARDWAJ J, (ORAL)

1. Prayer in the present petition is for issuance of direction to respondents no.1 to 3 to take time bound action against respondents no.4 to 10 i.e the officers for ensuring the payment of bills to the respondents no.11 to 14 for the works which were never carried out at the spot and thereby causing huge loss of funds to the Nagar Panchayat, Mahilpur (Hoshiarpur).

2. Reply by way of affidavit of Paramjeet Singh, Under Secretary to Government of Punjab, Department of Local Government Punjab, on behalf of respondents no.1 and 2 has been filed wherein it has been averred that on the



complaint of the petitioner, a three member Committee consisting of i) Superintending Engineer; ii) Architect; and iii) Corporation Engineer was constituted by the answering respondents for conducting an enquiry into the allegations levelled by the petitioner. The Committee after conducting enquiry submitted its report on 09.05.2023 to the answering respondents. Subsequently, the answering respondents after considering the inquiry report, forwarded the file to the competent authority, who ordered action against the officials/officers found to be involved in financial negligence. After getting approval from the competent authority, chargesheets/show cause notices have already been issued to respondents no.4 to 10 as well as other concerned officials/officers on 09.07.2024, which is extracted as under:-

S.No.	Name of the official/officer	Action taken
1.	Respondent No.4 Daljit Singh Rana, Junior Engineer	Charge-sheet under Rule 8 of Punjab Civil Services (Punishment & Appeal) Rules, 1970
2.	Respondent No.5 Ram Parkash, Executive Officer	Charge-sheet under Rule 8 of Punjab Civil Services (Punishment & Appeal) Rules, 1970 as well as Show Cause Notice under Rule 10 of Punjab Civil Services (Punishment & Appeal) Rules, 1970
3.	Respondent No.6 Avtar Chand, Executive Officer	Show Cause Notice under Rule 10 of Punjab Civil Services (Punishment & Appeal) Rules, 1970
4.	Respondent No.7 Sharat Kumar, Accountant	Show Cause Notice under Rule 10 of Punjab Civil Services (Punishment & Appeal) Rules, 1970
5.	Respondent No.8 Ajay Kumar, Junior Engineer	Show Cause Notice under Rule 10 of Punjab Civil Services (Punishment & Appeal) Rules, 1970
6.	Respondent No.9 Ramesh Kumar, Executive Officer (now retired)	Retired on 30.04.2018. No charge- sheet/Show cause notice was issued to him as he was covered under Rule 2.2 (b) of Punjab Civil Services Rules, Volume-II.
7.	Respondent No.10 Shish Pal, Clerk	Charge-sheet under Rule 8 of Punjab Civil Services (Punishment & Appeal) Rules, 1970

3. It is submitted that apart from the aforesaid officials/officers, Chargesheets under Rule 8 of Rules, 1970 were also issued to Clerks namely, Sohan Singh, Kamaljit Singh and Hargopal of Nagar Panchayat, Mahilpur, District Hoshiarpur on 09.07.2024. Further, a letter was issued to the Municipal



Engineer, Nagar Panchayat, Mahilpur, to conduct physical verification of 500 works of Rs.20,000/- each allocated from 01.01.2020 to 31.12.2021 by the officers /officials of Nagar Panchayat, Mahilpur, District Hoshiarpur and to submit a report regarding any discrepancy or financial loss. He was also directed to check the rates calculated by the Enquiry Committee; verify the rates/quantity of works which were not allotted as per rules and he was also directed to send a complete report in this regard within 20 days.

4. Since the respondents have initiated action against the official respondents no.4 to 10, no further directions are required to be issued.
5. The present petition is accordingly disposed of as having been rendered infructuous, at this stage. Liberty is, however, granted to the petitioner to seek revival in case the averments noticed above are found to be incorrect.
6. Respondent/State is directed to take expeditious and time bound action in the pending chargesheets/disciplinary proceedings against the officials and in the event of any criminal case being found to be made out, appropriate steps for initiation on such proceedings shall also be undertaken by the respondents.

14.11.2024
mamta

(VINOD S.BHARDWAJ)
JUDGE

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