



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

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CRM-M-36347-2021

Date of Decision : May 13, 2024

PARVEEN KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. H.C.Arora, Advocate for the petitioner.
Mr. Pardeep Bajaj, DAG, Punjab.
Mr. V.K.Sandhir, Advocate for respondent No.5.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, prayer is made for issuance of directions to official respondent concerned to register a criminal case against the private respondent.

2. On 9.8.2022, a Co-ordinate Bench of this Court had passed the following order:-

“Learned counsel appearing on behalf of the petitioner points out that the official respondents have filed their response stating therein that even though the allegations qua the illegal cutting of 69 trees are correct, however, they submit that they cannot take any action unless written complaint in this regard is furnished by the Block Development and Panchayat Officer and since they have not received any complaint from the BDPO, they are not in a position to carry out further action.

Learned counsel for the petitioner further contends that the aforesaid stand of the respondent State would be in disregard to the judgment dated 14.12.2016 passed in CWP No.22426 of 2016 by a Division Bench of this Court in the matter 'H.C. Arora, Advocate Vs. State of Punjab and others' wherein, it was categorically held



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that the Vigilance Bureau cannot refuse to take action awaiting approval from the Administrative Department.

Learned counsel appearing on behalf of the State seeks some time to go through the same and address arguments.

To come up on 03.11.2022 for further consideration.”

3. The petitioner set up the bedrock of initiation of action against the private respondent is the order dated 21.7.2022, which according to the petitioner, has attained finality, whereby, the Director, Rural Development and Panchayat Department, Punjab has suspended the Sarpanches and Panchs of the Gram Panchayat concerned.

4. Today, the learned State counsel on instructions imparted to him by Sh.Jeewan Lal, Superintendent, office of BDPO, Garhshankar informs that infact the order (supra) has not attained finality, rather the same is under challenge before the learned Appellate Authority concerned. He further submits that the authority concerned would take an appropriate decision, after the decision of the competent authority, which has seized of the matter.

5. In view of the statement suffered by the learned State counsel, no further order is required to be passed, therefore, the instant petition is ordered to be **closed**. It is expected from the official respondent concerned that as and when the final order is passed by the FCR concerned, the appropriate action will be taken accordingly.

6. **Disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No