

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15774 of 2018
Date of decision: 26.04.2024

Sonu Ram Petitioner

versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. V.K. Sandhir, Advocate
for the petitioner.

Mr. Navneet Singh, Sr. D.A.G., Punjab.

RAJESH BHARDWAJ J.

1. Present writ petition has been filed for quashing the impugned order dated 13.03.2018 (Annexure P-6) issued by respondent No.1 whereby the new Gram Panchayat Kamalpur is being constituted from Gram Panchayat Gopalpur Tehsil Patran District Patiala in violation of provisions of Section 3 of the Punjab Panchayati Raj Act 1994 and against the instruction dated 26.05.2017 (Annexure P-5) issued by the Punjab Government, without deciding the objections dated 30.01.2018 (Annexure P-4) filed by the petitioner, whereas as per provisions of Section 3 (*ibid*), the newly constituted Gram Panchayat shall have distinct and separate abadi.

2. It has been contended by learned counsel for the petitioner that he had filed the objections dated 30.01.2018 (Annexure P-4), however, without dealing with the same, the respondent-authorities have passed the impugned order bifurcating the Panchayat into two Panchayats.

The Court had directed the State to verify the same and on verification

learned State counsel on instructions from Mr. Gurpreet Singh, Legal Assistant, has submitted that though the record has been perused but the objections filed by the petitioner, are not found in the record.

3. Keeping in view the above submissions, this Court finds it appropriate that the petitioner be allowed to approach respondent No.3- Deputy Commissioner, Patiala, by filing fresh objections within 10 days, then respondent No.3- Deputy Commissioner, Patiala, would deal with the same after hearing the petitioner and pass a speaking order within eight weeks from the date of filing of the objections.

4. In view of the above, the present petition is disposed of in the above mentioned terms.

(RAJESH BHARDWAJ)
JUDGE

26.04.2024
ps-I

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