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in/and CWP-22130-2024**

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

**CM-15105-CWP-2024
in/and CWP-22130-2024
Date of Decision: 30.09.2024**

Harpreet Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Vishal Singh Chauhan, Advocate
for the applicant/petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

HARSH BUNGER, J. (ORAL)

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This is an application filed under Section 151 of the Code of Civil Procedure seeking preponement of the date of hearing in main case (CWP-22130-2024), which is fixed for 12.11.2024.

For the reasons mentioned in the application, the same is allowed as prayed for and the date of hearing in the main case (CWP-22130-2024), which is fixed for 12.11.2024, is preponed and the main

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case is taken on board today itself.

CWP-22130-2024

Petitioner (Harpreet Singh) has filed the instant Writ Petition under Articles 226/227 of the Constitution of India *inter alia* seeking a writ in the nature of Mandamus for directing respondent No.2 (Deputy Commissioner, Kurukshetra) to decide the representation dated 13.08.2024 (Annexure P-1) and to take appropriate action in accordance with law.

2. The representation dated 13.08.2024 (Annexure P-1) filed by the petitioner reads as under:-

“To,

*Deputy Commissioner
 District Kurukshetra (Haryana)*

Subject: To conduct the fair inquiry of the Gram Panchayat of village Bhalari, the panchayat fund and lease amount received from the Gram Panchayat Land

Sir,

I Harpreet Singh son of Shri Harjeet Singh R/o. village Bhalari, Bhalari, Ladwa, Kurukshetra Haryana and I want to conduct the fair inquiry regarding the panchayat fund (grants) and lease amount received from the Gram Panchayat Land.

That the Gram Panchayat village Bhalari how much amount /grant received from the Government for the purpose of development of the village and which places and other occasions that amount /grant has been spent by the Gram Panchayat.

That I requested also you to conduct the fair and proper inquiry of the lease amount of the Gram Panchayat Land which was received by the Gram Panchayat from the Gram Panchayat Land and that amount also be spent by the Gram Panchayat and to give the detail of the expenses of that

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amount.

Therefore, I requested you to conduct the fair and proper inquiry above mentioned amount within 15 days.

Thanking you,

Yours faithfully,

*(Harpreet Singh)
son of Shri Harjeet Singh
R/o. Village Bhalari, Ladwa,
Kurukshetra Haryana)
Mobile No.98122-60662”*

3. A perusal of the aforesaid representation dated 13.08.2024 (Annexure P-1) would indicate that the same is bereft of material particulars and only general and vague allegations have been made therein.

4. In the Writ Petition, the petitioner has tried to improve upon the contents of the representation, however, even in the Writ Petition, only general and vague allegations have been made that respondent No.3 (Balkar Singh), who is the elected Sarpanch of Village Bhalari, Ladwa, District Kurukshetra is not performing his duties towards village development; is working contrary to the interests of the people of the village; working for his personal interests by using the public money grants of the Government, etc.

5. The Hon'ble Apex Court in ***Narendra Bahadur Singh & Anr. v. State of U.P. & Ors., AIR 1977 Supreme Court 660***, held that material facts and essential facts should be pleaded in the writ petition.

5.1 It is fairly settled law that roving enquiry is not contemplated in a writ petition by the High Court invoking the jurisdiction under Article 226 of the Constitution of India in the absence of necessary pleadings and materials.

6. In ***Ashok Kumar Pandey v. State of W.B. 2004(3) SCC 349*** the

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Apex Court held that petition seeking to make a roving enquiry on speculative foundations and premises cannot be entertained.

7. Since the representation (Annexure P-1) as well as the writ petition is completely devoid of material particulars and only vague and general allegations have been made therein; I do not find any merit in this writ petition and the same is accordingly dismissed.

8. All pending application(s), if any, shall stand closed.

30.09.2024
Himani

(HARSH BUNGER)
JUDGE

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