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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-22669-2024 (O/M)

Date of decision : 09.09.2024

Janak Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Ramandeep, Advocate  
for the petitioner.

Mr. P.S. Bhandari, AAG Punjab.

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HARSH BUNGER, J. (ORAL)

1. Petitioner (Janak Singh) has filed the instant civil writ petition under Articles 226/227 of Constitution of India, inter alia, seeking a writ in the nature of mandamus directing respondents No. 1 and 2 to entrust the inquiry into the complaint submitted against respondent No. 5 to some higher official. A further prayer has been made for directing respondents No. 1 and 2 to decide the representation dated 14.06.2024 (Annexure P-2) in accordance with law.

2. According to the petitioner, he alongwith other inhabitants of the village submitted a complaint against respondent No. 5 (Nirmaljit Kaur) that she misused her office to cause wrongful gain to her brother in law (Dharminder Singh) to the tune of Rs. 50,00,000/- by permitting him (Dharminder Singh) to use the clay/earth dug out from the village pond. It is stated that on the aforesaid complaint, Additional Deputy Commissioner, Patiala, restrained the work of digging of village pond, however, respondent No. 4-Block Development and Panchayat Officer,

Samana (in short BDPO), submitted his report, vide letter No. 2678, dated 25.05.2022, whereby the complaint submitted by petitioner alongwith others, was consigned in the record.

2.2 It transpires that the petitioner alongwith others submitted similar complaint against respondent No. 5 to the Director, Department of Rural Development and Panchayat, Punjab (respondent No. 2 herein), which is stated to have been marked for inquiry to Deputy Chief Executive Officer, Zila Parishad, Patiala, who submitted his report dated 18.10.2023 (Annexure P-1), whereby the complaint against respondent No. 5 was consigned to the record room.

2.3 Thereafter, the petitioner has submitted another representation dated 14.06.2024 (Annexure P-2) with a prayer that the complaint submitted against respondent No. 5 be got inquired into from some higher official.

3. In the aforementioned circumstances, the petitioner has filed the instant civil writ petition for the relief(s), as noticed above.

4. Heard.

5. Concededly, the complaints submitted by the petitioner alongwith others against respondent No. 5 were inquired into by two authorities, namely, Block Development and Panchayat Officer, Samana and Deputy Chief Executive Officer, Zila Parishad, Patiala. Both the aforesaid officers had submitted their respective reports dated 25.05.2022 and 18.10.2023 (Annexure P-1), whereby the complaints against respondent No. 5 were consigned to the record room.

5.1 A perusal of the report dated 18.10.2023 (Annexure P-1) would show that the village pond, which was adjacent to the Government

the 15<sup>th</sup> Finance Commission, so as to prevent the outbreak of diseases like dengue etc. It appears that the clay/earth dug out from the pond, was utilized in the village shamlat land and the excess earth was used by Dharminder Singh, who on the directions of BDPO, Samana, deposited an amount of Rs. 37,733/- in the panchayat fund. The copies of receipt and voucher for the aforesaid amount were placed on record. In the report (Annexure P-1), it is stated that although Dharminder Singh is brother in law of respondent No. 5, however, it was concluded that no concrete evidence has come against respondent No. 5 and she cannot be termed as guilty.

5.2 Despite the aforesaid two inquiries, the petitioner has now submitted another representation dated 14.06.2024 (Annexure P-2) on the same allegations.

6. In my considered view, once the complaint submitted against respondent No. 5 has already been inquired into by two separate officers and nothing concrete was found against respondent No. 5; it prima facie appears that the present writ petition may have been filed by the petitioner for some ulterior/oblique motive or to settle his personal scores.

7. In view of aforementioned facts and circumstances, I do not find any merit in the instant civil writ petition, resultantly the same is dismissed.

8. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)  
JUDGE

09.09.2024  
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No