

126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5589-2025 (O/M)
Date of decision : 05.03.2025

Varinderpal Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Ashish Pal Kaushal, Advocate
for the petitioner.

Mr. Navneet Singh, Senior DAG Punjab.

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HARSH BUNGER, J. (ORAL)

1. Petitioner (Varinderpal 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 for directing respondent No. 2 (Director, Rural Development and Panchayat Department, Punjab) to decide the revision petition (ROR-129-2025), filed under Section 201 of Punjab Panchayati Raj Act, 1994 (in short '1994 Act').

2. Briefly, the petitioner is stated to be an elected Sarpanch of Gram Panchayat village Chakk Kala Tibba, Block Abohar, District Fazilka, in the general elections of the Panchayat, held in the State of Punjab in the month of October, 2024. It is stated that the Gram Panchayat consists of eight Member Panches and one Sarpanch.

2.1 According to the petitioner, a meeting of the gram panchayat was held on 02.01.2025, wherein the petitioner and other members

panchayat were present, however, the meeting was postponed due to non cooperation of the members present in the meeting.

2.2 It is stated that another meeting of the Gram Panchayat was held on 16.01.2025, wherein the petitioner remained present, but the other members panchayat remained absent and on account of lack of quorum, the meeting could not be held. It transpires that, vide an order dated 05.02.2025 (Annexure P-4), respondent No. 5 has been appointed as Administrator for completion of development works in the village.

2.3 Feeling aggrieved against order dated 05.02.2025 (Annexure P-4), passed by District Development and Panchayat Officer, Fazilka, the petitioner has preferred a revision petition under Section 201 of 1994 Act before respondent No. 2 (Director, Rural Development and Panchayat Department, Punjab), which is stated to be pending. Accordingly, the instant civil writ petition has been filed.

3. In pursuance of advance copy having been served upon respondent-State, Mr. Navneet Singh, Senior DAG Punjab appears and draws attention of this Court to the order dated 05.02.2025 (Annexure P-4), whereby respondent No. 5 was appointed as an Administrator, the relevant extracts whereof read as under :-

“ The government is demanding the Utilization Certificates after spending the amount of grants given to Gram Panchayat Chakk Kala Tibba. Therefore on the report of Block Development and Panchayat Officer, Abohar, I Neeru Garg, District Development and Panchayat Officer, Fazilka exercising the powers conferred under Section 200 of Punjab Panchayati Raj Act,1994, as per the report of Block Development and Panchayat Officer, Abohar, Sh. Gurwinder Singh Panchayat Officer is hereby appointed as Administrator for 30 days in Gram Panchayat Chakk Kala

Tibba and directing that after completing the works, the administrator will get issue the Utilization Certificates from the competent officer. If Sarpanch or any member of Gram Panchayat Chakk Kala Tibba has objection against this order then he can file appeal under Section 200 of Punjab Panchayati Raj Act, 1994 in the court of Director, Department of Rural Development and Panchayat, Punjab. During the said period, if the above said members of Gram Panchayat would agree with the Sarpanch then this order will be considered to be cancelled.”

3.1 While referring to the aforesaid order, it is stated by learned State counsel that the Administrator was appointed only for a period of 30 days and the aforesaid period already stands lapsed as on today and the said order dated 05.02.2025 (Annexure P-4) has not been extended.

4. In view of the aforesaid stand taken by learned State counsel, no orders are required to be passed in the instant civil writ petition and the same is accordingly dismissed.

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

(HARSH BUNGER)
JUDGE

05.03.2025
sjks

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