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CWP-9185-2022

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

CM-15961-CWP-2025 in/and
CWP-9185-2022
Date of Decision: 04.11.2025

Sukhwinder Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. H.S. Saini, Advocate
for the applicants/petitioners.

Mr. Navneet Singh, Addl. A.G., Punjab.

HARSH BUNGER J. (ORAL)

CM-15961-CWP-2025:

Prayer in the present application is for fixing some actual date in the main petition (CWP-9185-2022), which is otherwise on the Regular Board of this Court at Sr. No.975.

For the reasons mentioned in the application, same is allowed and the main case (CWP-9185-2022), which is otherwise on the Regular Board of this Court at Sr. No.975, is taken up on Board today itself for hearing.

Application is accordingly disposed of.

CWP-9185-2022:

Petition herein is, *inter alia*, seeking a writ in the nature of



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Mandamus, directing the official respondents No.1 to 4 to initiate disciplinary action against the Sarpanch and other members of the Gram Panchayat, Khawaza Vardag, as well as the then revenue officials/ Patwari, Kanungo, Block Development and Panchayat Officer, etc., by conducting a detailed enquiry into the bogus claims of compensation obtained by undeserving persons, including those named in paragraph No.6 of the present writ petition.

1.1 A further prayer has been made for issuance of appropriate directions to initiate criminal proceedings against all persons involved in the scam pertaining to the embezzlement of government funds.

2. Briefly, the petitioners are residents of Village Khawaza Vardag. It is averred that the Gram Panchayat, Khawaza Vardag, possesses approximately 209 acres of *shamlat* land, which was used to be auctioned every year by the Gram Panchayat in favour of the highest bidder under the supervision of the Block Development and Panchayat Officer, Dera Baba Nanak. It is claimed that for the year 2018-19, the said *shamlat* land was duly auctioned, wherein petitioner No.2 – Gurjeet Singh offered the highest bid for Plot No.7, and petitioner No.3 – Jaspal Singh offered the highest bid for Plot No.9. Likewise, various other persons took other plots on lease from the Gram Panchayat.

2.1 It is further stated that during the subsistence of the aforesaid leases, due to untimely heavy rains, the standing crops were damaged, causing loss to the lessees. In order to compensate the farmers affected by such natural calamity, the State Government introduced a policy for grant of compensation. However, it is alleged that the Sarpanch and other members of the Gram Panchayat, with an intent to extend undue benefits to their own



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supporters, forged lease deeds in favour of certain persons who had never taken the *shamlat* land on lease nor had their crops suffered any damage due to heavy rains. Despite this, such persons were paid heavy amounts of compensation by the Revenue Department in connivance with the Sarpanch and other members of the Gram Panchayat, whereas petitioners No.2 and 3 were denied any compensation.

2.2 It is further stated that with regard to the aforesaid grievance, the petitioners submitted various complaints and representations (Annexures P-2 to P-4), followed by a legal notice dated 28.01.2021 (Annexure P-5); however, no action has been taken thereon till date.

3. In the aforesaid circumstances, the present writ petition has been filed before this Court seeking relief(s) as noticed hereinabove.

4. Learned counsel for the petitioners has reiterated the averments made in the present writ petition.

5. Learned State counsel has opposed the averments made by the petitioners in the present writ petition. He submits that the writ petition is bereft of material particulars and lacks supporting documents to substantiate the allegations levelled by the petitioners. It is further submitted that the present writ petition has been filed due to a factional dispute within the village and is aimed merely at seeking a roving enquiry, which is not permissible in law. Accordingly, prayer for dismissal of the present writ petition has been made.

6. Heard.

7. During the course of hearing, a specific query was put to the learned counsel for the petitioners as to whether the Government Policy, under which the compensation is alleged to have been received by various



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persons, contained any clause stipulating that such compensation was payable only to those who had taken the *shamlat* land on lease from the Gram Panchayat. However, learned counsel for the petitioners failed to respond to the said query and was also unable to refer to any State Policy under which the compensation is alleged to have been wrongly disbursed.

8. It is apparent that the petitioners have neither annexed a copy of the relevant State Policy nor furnished details of the compensation amounts paid to the alleged beneficiaries in the present writ petition. Upon perusal of the writ paper book, I find merit in the submissions made by the learned State counsel that the petitioners are merely seeking a roving enquiry by making bald allegations that the compensation has been wrongly distributed by the Sarpanch and other members of the Gram Panchayat, Khawaza Vardag, in connivance with the District Authorities.

9. In “*Ashok Kumar Pandey v. State of W.B.*” 2004(3) SCC 349, the Hon’ble Apex Court held that petition seeking to make a roving enquiry on speculative foundations and premises, cannot be entertained.

10. In view of the above, the present writ petition is dismissed, however, in case any inquiry/action is already initiated by any competent authority as regards any of the matter(s) as averred by the petitioner, the same be taken to its logical end.

11. All the pending application(s), if any, shall also stand closed.

04.11.2025

Apurva

**(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No