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

CWP-14640-2025

Date of Decision:21.05.2025

RANJIT SINGH AND ANOTHER

-PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ranjit S. Bajaj, Advocate,
for the petitioners.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, prayer is made for quashing of resolution dated 08.01.2025 (Annexure P-14), passed by the Gram Panchayat, Village Sohal Jagir, Tehsil Shahkot (respondent no.5), and the decision dated 02.04.2025 (Annexure P-16), taken under supervision of respondent no.3, and also the consequent letter dated 25.04.2025 (Annexure P-17), issued by respondent no.4.

2. The petitioners further seek a direction upon respondents no.3 and 4, for conducting elections as per resolution dated 12.03.1995 (Annexure P-1), and subsequent, resolution dated 26.06.2019 (Annexure P-4), whereby, the Constitution Committee was amended.

3. Learned counsel for the petitioners, in order throw challenge

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to the resolution and order (*supra*), and also to seek the asked for *mandamus*, laid foundation of his case on the two submissions: (i) that the validity of the resolution dated 26.06.2019 (Annexure P-4), whereby, the constitution committee was amended, has already been legally adjudicated, and attained finality before this Court; (ii) that the Gram Panchayat-respondent no.5, is not a stakeholder to raise a question with regard to the validity of the amendment brought into effect through resolution dated 26.06.2019; (iii) further, the resolution dated 08.01.2025 (Annexure P-14), was not the agenda, and therefore, the Gram Panchayat-respondent no.5, has illegally passed this resolution.

4. This Court has considered the submissions, as made by learned counsel for the petitioners and does not find any merit, in any of his submissions for the hereinafter detailed reasons:-

- (i) That at an earlier occasion the issue which arose before this Court in CWP-999-2023 (Annexure P-10), was never pertaining to the validity of the amendment in the constitution, as brought into by the committee on dated 26.06.2019 (Annexure P-14), whereby, Keshdhari Sikhs, alongwith Amritdhari, were also held entitled to vote in the committee, and it very much reflects from the order dated 24.05.2022 (Annexure P-7), as passed in CWP-21834-2019, which only deals with the issue of validity of the elections, wherein, neither there was any issue, nor any adjudication by

this Court on this aspect.

Further, the reliance which is placed upon the order dated 14.02.2023, as passed in CWP-999-2023 (Annexure P-10), is also a misplaced reliance, as the said writ petition, wherethrough, the challenge has been made to the resolution dated 26.06.2019 (Annexure P-4), was simply disposed of as dismissed as withdrawn, with liberty to avail alternate remedy. The relevant part of the said order is extracted hereinafter:

“The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or directions for setting aside the impugned resolution dated 26.06.2019(Annexure P-1) passed by the Gram Panchayat village Sohal Jagir, District Jalandahar.

After arguing vehemently at length, learned counsel for the petitioner seeks permission to withdraw the instant petition with liberty to take recourse to the alternative remedy available to the petitioners in accordance with law.

Disposed of as withdrawn with liberty as aforesaid.”

Therefore, the submissions, as made by learned counsel for the petitioners, that the issue regarding legality of resolution dated 26.06.2019 (Annexure P-4), has been examined, and has attained finality upto this Court, is not correct. However, no other argument has been raised, as to how come the finding, which was recorded by the Deputy Commissioner, Jalandhar (respondent no.3), is perverse or illegal, which categorically recorded that there is no record regarding amendment of constitution of committee in 2019.



The relevant part of Annexure P-5, is extracted hereinafter:-

“It is humbly submitted that there are two Gurudwaras (Gurudwara Andrla and Gurudwara Bahrla) in village Sohal Jagir. For running affairs of the same, in the year 1995, Sarpanch Gram Panchayat had constituted a Committee by the name of Kalgidhar Gurudwara Parbandhak Committee. In the same way, present Sarpanch Gram Panchayat held a general meeting in the village after three years on 26.6.2019 and constituted a new Committee and passed the same on 26.6.2019 unanimously. In the same way, as per draft of the Committee, President of the Committee was elected unanimously. Office bearers of the Committee have also been elected as per draft of Committee. Information in this regard is being sent to you.”

(ii) The second issue, as raised by learned counsel for the petitioners, before this Court, is with regard to the *locus* of the Gram Panchayat-respondent no.5. This Court has perused the entire record of the case file, from which it reflects that it was the Gram Panchayat, which by resolution dated 12.03.1995 (Annexure P-1), for the purpose of maintaining the sanctity of the Gurudwara, formed the Managing Committee.

Once the Gram Panchayat-respondent no.5, is itself constituting the Managing Committee, therefore, its *locus* cannot be questioned, as it has valid and legal concern with regard to the welfare of the Gurudwara in question.

iii) Though, the petitioners have an efficacious alternate remedy, by challenging the proceedings of the Gram Panchayat-respondent no.5, under the relevant provisions of the Act, however, this Court has also gone

through the agenda (Annexure P-13), wherein, it was specifically mentioned that other issues of the village will be discussed on the spot. The relevant thereof is extracted hereinafter:-

“.....There, plan of GPDP for the year 2025-2026 and other issues of the village will be discussed at the spot. As such you all kindly ensure to remain present on the above date.”

5 Therefore, this argument also carries no weight and is rejected, accordingly.

6. *Insuma* the instant petition is, hereby, **dismissed**.

May 21, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No