

**In the High Court of Punjab and Haryana at Chandigarh**

[145-2]

CWP-28148-2024(O&M)**Date of Decision: 05.02.2025**

NAFE SINGH EX. SARPANCH AND OTHERS PETITIONERS
VERSUS
DEPUTY COMMISSIONER, BHIWANI AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR JUSTICE VIKAS SURI

Present: Mr. Rupinder Singh, Advocate for the petitioner(s).

Mr. Ankur Mittal, Addl. A.G. Haryana with
Ms. Svaneel Jaswal, Addl. A.G. Haryana,
Mr.P.P. Chahar, Sr. DAG, Haryana.
Mr. Saurabh Mago, DAG, Haryana.
Mr. Gaurav Bansal, DAG, Haryana and
Mr. Karan Jindal, AAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)
CM-20181-2024

Application for placing of record the requisite documents is
allowed as prayed for.

CWP-28148-2025

1. Written statement by Bhajan Lal, Block Development &
Panchayat Officer, Bawani Khera, District Bhiwani (respondent No.3), on
behalf of respondents No.1 to 3 has been filed in Court today alongwith
certain requisite Annexures. The same is taken on record.

2. Post the passing of the order of remand pronounced by this
Court on 11.09.2023 in *CWP No.13913 of 2023*, the Sub-Divisional Officer
(Civil)-cum-Assistant Collector, Ist Grade, Bhiwani, has refused to, on most
untenable grounds *prima facie* exercise jurisdiction over the remanded *lis*.

The said *prima facie* refusal but *prima facie* on pretextual grounds, as stated



in the order dated 20.06.2024 passed by the Sub-Divisional Officer (Civil)-cum-Assistant Collector, Ist Grade, Bhiwani, thus requires that the said order be quashed and set aside. Therefore, after quashing and setting aside the said order, the Sub-Divisional Officer (Civil)-cum-Assistant Collector, Ist Grade, Bhiwani, is directed to ensure that no pretextual reasons are hereinafter made for his refusing to exercise the jurisdiction, as became conferred upon him through an order made by this Court on 11.09.2023.

3. Even the present refusal to exercise jurisdiction is deprecated and the said deprecation be ensured to be entered in the service record of the present Sub-Divisional Officer (Civil)-cum-Assistant Collector, Ist Grade, Bhiwani, thus, through an entry being made in the hands of the District Collector, Bhiwani.

4. The instant petition stands disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(VIKAS SURI)
JUDGE

05.02.2025

Anjal

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