

2026.PIIIC:046316



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

CWP-6622-2026 (O&M)
Date of Decision: 23.03.2026

Gram Panchayat, Village Akalgarh Through Its Sarpanch Jaswinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Arshdeep Singh Sivia, Advocate
for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing the official respondents to make the payment of grants received from the Government, amounting to Rs.20,00,000/-, in favour of the Gram Panchayat, Village Akalgarh, instead of the Executive Engineer (Panchayati Raj), so as to enable the Panchayat to carry out development works in the village.

2. It transpires that prior to the filing of the instant writ petition, the petitioner – Gram Panchayat had served a legal notice upon the official

respondents, which was duly replied to by the office of the Block Development and Panchayat Officer, Sri Muktsar Sahib, wherein the following averments have been made in paragraph No.2:-

“2. That the contents of para no.2 of the notice are quite, frivolous and non-tenable. As per averments of this para it has been disclosed that the panchayat is doing the development work of the village as per law and the sarpanch has majority to carry out of the development work of village as per grants sanctioned by the concerned department. In this concern it is highlighted that this version is absolutely wrong, because as per statement of account of the gram panchayat a more than Rs.22,00,000/- is available in the credit account of Gram Panchayat upto month of January. Only a meagre amount of about Rs.8,000/- has been spent and credit amount as stated above is available in the account of the Gram Panchayat.

However, the record of the Panchayat clearly shows that there are so many projects of development pending for the welfare of the village, but the panchayat is not acting and initiating the projects to be completed and not spending the funds available with the panchayat. It is against the norms that funds are there and the projects are also available which require the funds to be spent for the welfare of the General Public/Residence of village but the panchayat is not acting to the requirement accordingly which amount to dereliction of duty towards the responsibilities for the public.

It is further told that no fund to the Executive Engineer Panchayati Raj has been transferred for any development work to be done in the village Akalgarh.

However it is further told that the allocation of funds are purely prerogative of panchayat sammittee or any other department of the state for the welfare of the Village and the Gram Panchayat cannot claim it is matter of right.

It is further told that the funds are provided for the utilization on different projects and development works and in

case the Gram Panchayat fail to perform its duties to get the development works done. The state has the power to get the development works done from its other sources/Engineering wings etc. In case the Gram Panchayat avoid to work for the development projects of the Village for some ulterior reasons the benefits of public at large cannot be put at the stake/mercy of the Gram Panchayat. It is further highlighted that no funds has been transferred to Engineering department.”

3. A perusal of the aforesaid extracted reply would reveal that it has been categorically stated that no funds have been released to the Executive Engineer (Panchayati Raj) for carrying out any development work in Village Akalgarh. Rather, it has been pointed out that as per the account statement of the Gram Panchayat, an amount exceeding Rs.22,00,000/- was available up to the month of January, out of which only Rs.8,000/- has been spent, and the remaining amount continues to lie in the Panchayat's account.

3.1 It has further been stated that the record of the Gram Panchayat reflects the existence of several pending development projects for the welfare of the village; however, the Panchayat has neither taken steps to initiate/complete such works, nor the Panchayat has utilized the funds available with it. It has also been categorically asserted that the allocation of funds is purely within the prerogative of the Panchayat Samiti or any other department of the State for the welfare of the village, and the Gram Panchayat cannot claim the same as a matter of right.

4. Since the stand taken by the Gram Panchayat in the instant writ petition, that the Government had transferred an amount of Rs.20,00,000/- to the Executive Engineer (Panchayati Raj), stands refuted by the official respondents, who have categorically stated that no such funds have been transferred, nothing survives for adjudication in the present proceedings.

5. Resultantly, the instant writ petition fails and the same is, accordingly, dismissed.
6. All the pending application(s), if any, shall also stand closed.

23.03.2026
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No