
(2010) 11 P&H CK 0433

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 18735 of 2010 (O and M)

Gurdeep Singh

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Nov. 8, 2010

Acts Referred:

- Punjab Panchayati Raj Act, 1994 - Section 19

Hon'ble Judges: Kanwaljit Singh Ahluwalia, J

Bench: Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.

Mr. Inderjeet Singh Brar, Advocate, has caused appearance on behalf of Respondent No. 4-Pargat Singh.

2. In the present writ petition, a prayer has been made that a direction be issued to Respondent No. 3-Block Development and Panchayat Officer, Kotkapura, District Faridkot, to hold meeting of the Gram Panchayat, Village Doad, u/s 19 of the Punjab Panchayati Raj Act 1994 (hereinafter referred to as "1994 Act"), in pursuance of the "No Confidence Motion" (Annexure P1), submitted by six members of the Gram Panchayat.

3. Learned Counsel for the Petitioner has submitted that Respondent No. 3, in collusion with the Sarpanch, is unnecessarily postponing the meeting and is avoiding to put the "No Confidence Motion" to vote.

4. Mr. A.K Sharma, Additional Advocate General, Punjab, has submitted that the meeting was lastly fixed on 29.10.2010 and he is not aware as to whether the "No Confidence Motion" has been put to vote or not.

5. Learned Counsel for the Petitioner has submitted at bar that on 29.10.2010, no meeting had taken place and the same was also postponed indefinitely. This Court has no reason to doubt the statement made by learned Counsel for the Petitioner at

bar.

6. After hearing learned Counsel for the parties, it is ordered that Respondent No. 3-Block Development and Panchayat Officer, Kotkapura, District Faridkot, in pursuance of "No Confidence Motion" (Annexure P1), shall issue seven days' clear notice to all the members of the Gram Panchayat excluding the date of notice and the date of meeting. The "No Confidence Motion" shall be put to vote on the date so fixed in the notice. The meeting of the Gram Panchayat shall be held on or before 1.12.2010 at the Panchayat Ghar, Village Doad. Learned Counsel for Respondents No. 1 to 3 assures this Court that all the necessary arrangements shall be made for peaceful holding of the meeting on the date, so fixed.

7. With the observations made above, the present writ petition is disposed of.

8. A copy of this order, under the signatures of the Reader of this Court, be furnished to Mr. A.K Sharma, Additional Advocate General, Punjab, for onward transmission and compliance.