

(2010) 09 P&H CK 0171
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 1031 of 2010

Gram Panchayat Raipur

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 21-09-2010

Acts Referred:

Punjab Panchayati Raj Act, 1994 — Section 30, 86

Citation : (2010) 09 P&H CK 0171

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.—In the present writ petition, it has been prayed that the writ in the nature of mandamus be issued directing respondents Nos. 1 to 5 to deposit grant-in-aid in the account of the petitioner-Gram Panchayat.

2. On 21.1.2010, the Co-ordinate Bench of this Court had passed the following order:

...Learned Counsel for the petitioner has referred to para 4 of his petition to contend that Rs. 16 lacs were sanctioned for grant-in-aid under various heads for development of the village. But the said amount has not been released to the petitioner/Panchayat due to interference by respondent No. 6, a local MLA. According to the counsel, this is in violation of Sections 30 and 86 of the Punjab Panchayati Raj Act, 1994.

Notice of motion for 25.03.2010.

To be placed before Registrar Judicial-III for completion of service/pleadings on 02.02.2010.

Meanwhile, it is directed that funds meant for Gram Panchayat, Village Raipur, be not utilized by any other agency.

3. In response to the pleadings made in the writ petition, Paramjit Kaur, Block Development and Panchayat Officer, Dina Nagar, District Gurdaspur, has filed a

short affidavit, on behalf of respondents Nos. 3 to 5, wherein it has been averred as under:

...1. That the petitioner filed the present petition for directing the respondents Nos. 1 to 5 to hand over the grants to the petitioner to the Gram Panchayat. In this regard, it is submitted that the deponent has deposited the amount of grants of Rs. 12,59,820/- out of Rs. 16,50,000/- in favour of the petitioner's account. The amount of grant Rs. 3,90,180/- has already been spent for the construction of streets and drains.

4. In view of the averments made in the affidavit, filed by the Block Development and Panchayat Officer, Dina Nagar, District Gurdaspur, the relief sought for has already been answered by the respondents. Hence the present writ petition has been rendered infructuous and the same is dismissed as such.