
(1977) 02 P&H CK 0002
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 8050 of 1976

Ram Saroop

APPELLANT

Vs

Director of Panchayats, Haryana, Chandigarh

RESPONDENT

Date of Decision : 01-02-1977

Acts Referred:

Citation : (1983) PLJ 350 : (1985) RRR 488

Hon'ble Judges : O.Chinnappa Reddy, J and Gurnam Singh, J

Advocate : B.S. Khoji, Advocate., Advocates for appearing Parties

Judgement

O. Chinnappa Reddy and Gurnam Singh, JJ.

1. In this application for the issue of the writ, an order of the Director of Panchayats, Haryana, revoking the order of suspension of a Panch of a Gram Panchayat from his office is questioned. The petitioner claims that it was on his complaint in regard to the irregularities committed by the said Panch as a deponent of the village for the supply of ration sugar, etc. that the latter was suspended. According to him the Director of Panchayats should not have revoked the order of suspension without issuing a notice to him and hearing him. He claims that there was a violation of the principles of natural justice. In support of his argument that notice was necessary to the petitioners, the learned counsel for the petitioner relies upon the decision of a learned Single Judge of this Court in Gram Panchayat, Kamalpur v. Deputy Commissioner, District Jind, 1968 (LXX) Punjab Law Reporter 403. In that case the learned Judge had held that where a Sarpanch was suspended for encroaching upon shamilat land, etc., the order of the Deputy Commissioner reinstating him in office without affording the Panchayat an opportunity of being heard was illegal. We are unable to agree with the view expressed by the learned Judge. Where information is given to the appropriate authority for taking action against a public servant and action is taken in pursuance of that information, we do not think that it is necessary to give an opportunity to the informant, if the authority concerned later wants to revoke its earlier order. The informant is no more than a mere informant and

cannot be considered to be a party to the lis or an aggrieved party, on that account alone so as to entitle him to be heard before an order against the public servant is revoked. He is not in a better position than a person who gives information to the police about the commission of an offence. Such a person has no right to be heard, if no action is taken against the person against whom he gives information or if action is taken initially and then dropped. We disagree with the view expressed in *Gram Panchayat Kamalpur v. Deputy Commissioner, District Jind*. The writ petition is, therefore, dismissed. Petition dismissed.