(2012) 03 P&H CK 0246

In the Punjab And Haryana At Chandigarh

Case No : CWP No. 4038 of 2012

Smt. Jaituni APPELLANT

Vs

Financial Commissioner Haryana and Others RESPONDENT

Date of Decision : 05-03-2012

Acts Referred:

Haryana Panchayati Raj Act, 1994 — Section 51

Citation : (2012) 03 P&H CK 0246

Hon'ble Judges : Rajiv Narain Raina, J

Bench : Single Bench

Judgement

Rajiv Narain Raina, J.—A complaint was made by respondent No. 4 to respondent No. 3 against the petitioner alleging that she had spent amount of interest received by Panchayat from F.D.R. which was more than Rs. 10 lacs, without the approval from the higher authorities. The said complaint was enquired into. Respondent No. 2 had directed the Sub Divisional Officer, Panchayati Raj to inspect and give the assessment about the development works. Ultimately, respondent No. 2 issued show cause notice dated 25.11.2011 (Anexure P-5) u/s 51 of the Haryana Panchayati Raj Act, 1994 to the petitioner on the basis of enquiry report dated 4.11.2011 submitted by respondent No. 3. Vide order dated 11.1.2012 (Annexure P-6), the petitioner has been suspended and regular enquiry has been ordered to be conducted against the petitioner. She filed appeal against the suspension order. While dismissing the appeal of the petitioner vide order dated 8.2.2012 (Annexure P-7), Financial Commissioner ordered the regular enquiry to be completed within a period of six weeks. No interference is called for at this stage, in view of the ultimate direction contained in the order (Annexure P-7) that the regular enquiry will be completed within six weeks from the date of the order i.e. 8.2.2012. Needless to say that the time limit set by the Financial Commissioner will be strictly adhered to. Still further the petitioner shall be at liberty to raise all the pleas available to the petitioner, including the effect of the endorsement contained in Annexure P-4 during the course of regular enquiry. Nothing said on merits by the Financial Commissioner in the order

(Annexure P-7) would be taken cognizance of by the Enquiry Officer who would return findings independently on the facts of the case.

2. With these observations, this petition is disposed of.